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THE PEOPLE'S REVOLUTION  
IN ALBANIA  
AND THE QUESTION  
OF STATE POWER //

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## FOREWORD

The glorious epoch of the Anti-fascist National Liberation War of the Albanian people is an historical period which today is at the centre of the attention of our social sciences.

This period, which was a little over five and a half years, from the Italian aggression on April 7, 1939 until the complete liberation of Albania from the German nazis on November 29, 1944, is full of such events and has such a dynamic internal development which makes equal to entire decades in the life of peoples. These events and this dynamic development led to radical revolutionary transformations, in which there were the beginnings of the further development of Albania throughout the following decades, leaving their indelible mark on the processes of the present-day development of our socialist Homeland, in the characteristics of these processes, as well as in the place and role which socialist Albania has today in the international field. The present development of our country, the invincible strength of the dictatorship of the proletariat in Albania, the continual strengthening of the role of the Party of Labour of Albania, cannot be understood without studying from the beginning the revolutionary experience of our country, which, as Comrade Enver Hoxha stressed at the 7th Congress of the Party of Labour of Albania, "the correct-



ness of the teachings of genius of Marx has been completely confirmed.»\*

As an epoch full of great events, although historically short, the period of the National Liberation War has complex problems of a political, social, economic, juridical and cultural character, which must be an object of study for different sciences. In this framework, up to date a great deal has been done for the research, gathering and publication of different documents as well as for the preparation of many studies in this field.

The documents of the Party and the Anti-fascist National Liberation War, collected according to their character in the Works of Comrade Enver Hoxha, too, are the main sources which today enable our scholars to clarify and sum up new aspects of this great epic of the Albanian people. The History of the Party of Labour of Albania and, recently, the History of the Anti-fascist National Liberation War are also two main works which serve as a basis for every further study.

An important place is occupied in the historiography of this period by the work of Comrade Enver Hoxha *Laying the Foundations of the New Albania*, which not only provides an extraordinarily rich information on the creation of the revolutionary state power, but is also a very important detailed analysis of the events of that period and the position of the different social and political groups in this question of importance such decisive for the fate of the Albanian people.

The scientific study of the emergence and the characteristics of the people's power are part of the works on the participation of the Albanian people in the National Liberation War, as the national liberation councils were set up along with the National Liberation Army, as a factor and an essential expression of the National Liberation War and the people's revolution. The problem of state power is also treated as an aspect of the entire

\* Enver Hoxha, Report to the 7th Congress of the PLA, «8 Nëntori» Publishing House, Tirana 1976, p. 17, Eng. ed.

problem of the National Liberation War in the aforementioned works and others. In particular at the National Conference of Studies on the Anti-fascist National Liberation War of the Albanian People the problem of state power was dealt with in special papers and reports which threw light on a series of its aspects.

The National Conference of Studies on the Anti-fascist National Liberation War of the Albanian People stressed the importance for the further studying of the combination of the struggle against the fascist occupiers with the struggle against the exploiting classes, the deepening of the revolutionary character of this struggle which led to the overthrow of the rule of the landowners and the bourgeoisie and the establishment of the people's democratic state power, as a form of the dictatorship of the proletariat. Attention was drawn especially to the continuation and deepening of studies on the revolutionary process during which the problem of power was solved as the main problem of the people's revolution, of the functions of the new revolutionary state power, of the social composition of its organs, of the leading role of the Communist Party.

Naturally the fulfilment of these tasks demands broadscale research work by different scholars. The monography presented to the reader treats some aspects of the activity of the people's state power during the period immediately after the liberation of Albania.

To facilitate the work of the reader at the end of the study there is an annex which includes several of the principal documents which reflect the creation and development of the people's state power during the National Liberation War. These documents and the respective notes have been taken from the collection Documents of the Supreme Organs of the National Liberation State Power published in 1962.

THE AUTHOR



## INTRODUCTION

Although the content of the revolutionary transition from capitalism to socialism, which constitutes one of the principal features of our time, is the same for all countries, it has its specific characteristics in each country. The laws of the triumph of the revolution and the construction of socialism are universal laws, common in essence for all countries, but the economic, social and political conditions in which they are applied are specific, and this constitutes the specific aspect of the development of each country on the road of socialist revolution.

The experience of Albania, a small and backward country where radical socio-economic and political transformations took place within a very short period of time and ensured the rapid revolutionary transition from a landowner-bourgeois order into a socialist order, is a very interesting experience which reveals the vital and universal strength of the ideas of socialism, on the one hand, and the ability of the Communist Party of Albania (today the Party of Labour), which implemented the teachings of Marxism-Leninism in a creative manner in the concrete conditions of our country.

On 29 November 1944, together with the liberation of the country from the fascist occupiers the fundamental problem of our people's revolution, the problem



of the state power, was definitely solved, the new state power, the bases of which were laid since the National Liberation Conference of Peza, triumphed.

The Albanian socialist state has its roots in the National Liberation War, because the conditions in which the national liberation movement of our country developed, the composition of its motive forces, the leading role of the Communist Party of Albania, the ratio of classes which was created inside the country at that time, were the factors which put in the order of the day, beside the question of national liberation, also the problem of the creation of the new state, a state different in principle from the old state.

The program of the Comintern, endorsed by its 6th Congress in 1928, stressed that the developed capitalist countries directly faced the socialist revolution, the averagely developed capitalist countries faced either the socialist revolution, which parallel with the fundamental socialist tasks would solve the tasks unsolved by the bourgeois-democratic revolution, or the bourgeois-democratic revolution, which would be transformed later into the socialist revolution; in the colonial, semi-colonial and dependent countries the going over to the dictatorship of the proletariat would be made possible only after the bourgeois-democratic revolution was changed into socialist revolution, transformation which would cover a whole period; and, last, in the still more backward countries, the triumph of the national liberation movement would open the road to socialism provided that the socialist revolution, which would have already triumphed in the more developed countries, helped them to achieve this.<sup>1</sup>

Although the people's democratic state of Albania was created in the framework of the major social, political and economic changes which took place in the

<sup>1</sup> Kommunisticheskiy Internatsional v dokumentah (1919-1932), Moscow, pp. 35-42.

countries of Eastern and Southeastern Europe at the end of the Second World War, it has its own specific features deriving from the concrete conditions of Albania, its socio-economic situation in this period, and the ratio of classes within the country. The character of the revolutionary process in each country is determined by the level of economic development, as the program of the Comintern put it. However, the immediate tasks, the mutual relationships and the character of the different stages of the development of the revolution (e.g., the relationship between the democratic and socialist transformations) depend largely on the political situation which may be essentially different in different historical periods.

This was proved thoroughly by the experience of Albania.

It is known that on the eve of Italian fascist occupation, Albania as a semi-feudal and semi-colonial country was on the threshold of the bourgeois-democratic revolution which was directed not only against the strong feudal leftovers but also against the all-round interference of foreign imperialism, especially Italian imperialism.

The grave economic situation of the masses of the people, the great contrast between the standard of living of the masses of the people and the ruling clique, which had accumulated great riches from the exploitation of the workers and because they had sold the country to Italian imperialism which occupied key positions in Albania, had created an objective revolutionary situation.

But the subjective conditions for revolution had not ripened. In the country there was no bourgeois-democratic party which could organize a movement to fulfil most urgent minimum demands, like the implementation of the land reform, the democratization of the life of the country and the shaking off of dependence on Italian fascism. The Albanian bourgeoisie, which at the end of 1924 had made the bourgeois-democratic revolution, without being capable of carrying it through



to the end, in general, was in conservatory reactionary positions and had linked itself partly with the landowner circles represented by Ahmet Zog and partly with Italian imperialism, due to considerable gains that part of the bourgeoisie, especially the merchant bourgeoisie, made from the economic relations with fascist Italy.

The working class was few in numbers, unorganized, with inadequate class consciousness which was still in the process of formation. The Albanian communists, who represented the only force capable of organizing the popular movement, were split in groups which spent their energies in a barren conflict and squabbles with one another.

With the fascist occupation of the country the fundamental question of national liberation was raised.

In these circumstances, the contradiction between Italian fascism and the Albanian people became the principal contradiction, while the contradiction between the working masses and the exploiting classes receded to a secondary place but was not extinguished. The solution of the first contradiction became the premise and indispensable condition for the solution of the second contradiction. The war against the fascist occupier, for freedom and national independence was a vital question for the Albanian people. Without solving the national question no other social question could be solved.

The carrying out of this task was conditioned, first of all, by the formation of the Communist Party of Albania by Comrade Enver Hoxha on 8 November 1941.

Without the formation of the Communist Party of Albania the National Liberation Movement of the Albanian people, which had begun since April 7, 1939, could not have been organized and developed as part of a profound social revolution.

The first point in the strategy and tactics of the Communist Party of Albania, reflected in the Resolution of the Founding Meeting, was the connection of the cause of national liberation with that of the creation of a new, democratic, revolutionary state power. This con-

nection was dictated from the experience of history which showed that the old, reactionary and antipopular state was not only unable to defend national sovereignty, but put this independence up for barter in order to secure the support of foreign imperialism in the exploitation of the working masses. «The people, and first of all, the working class and the peasantry, had to know and understand why they were fighting and what the victory would bring them», wrote Comrade Enver Hoxha, «... The Communist Party of Albania was a guarantee that the past would never again be repeated, but this had to be proved in practice with a program, with action, with fighting and with policy.»\* The connection of the cause of national liberation with the creation of the new state power at the same time objectively gave the National Liberation War a social content, it drew the masses of the people, who were ready to fight for the freedom of the homeland, into a broader participation in the National Liberation War. In this manner this war was transformed also into a popular revolution, directed against those rotten parasitical social forces which betrayed the interests of the nation, putting themselves in the service of the occupiers.

The formation of the Communist Party of Albania created the premises for the working class to ensure the leading role in the National Liberation War, because only the working class, though few in numbers, had its organized and militant political party which relied also on the rich experience of the world revolutionary movement.

While the working class had the leading role in the national liberation and revolutionary war, a role which was conditioned by the existence and the leading role of the Communist Party, the peasantry was the main social force on which this war would be based and from which the army of the revolution would be crea-

\* Enver Hoxha, *Laying the Foundations of the New Albania*, «8 Nëntori» Publishing House, Tirana 1984, p. 25, Eng. ed.



ted. In a country like Albania, with a backward economy, where agriculture was the basic branch, the peasantry constituted the overwhelming majority of the population. It was an oppressed and exploited class, indeed the class and national oppression lay on it heavier than on any other class of the country, therefore it was called upon to play a great role in the struggle for national liberation and the creation of a free, democratic Albania. Comrade Enver Hoxha has pointed out, «...in the conditions of our country, where the working class was few in numbers and the peasantry constituted the overwhelming majority of the population, the drawing of the latter into the war under the leadership of the working class and its revolutionary party was the decisive factor which determined the outcome of the war and the revolution.»\*

The Party has always been well aware of this decisive role of the peasantry, and above all the poor peasantry, which made up about 77 per cent of the entire peasant population. At the 1st National Conference held in 1943 the Party instructed that, «The workers and poor peasants should be made clear that they are natural allies and that through common struggle they will be liberated from misery, starvation and oppression and will realize a better and more happy future.»<sup>1</sup>

Beside the working class and the peasantry, other strata, and precisely the petty and middle bourgeoisie and the patriotic intellectuals, were interested in the liberation of the country and the anti-imperialist and anti-feudal revolution.

At that time there was no other social force or political party capable of undertaking and successfully leading the liberation struggle of the people. The main exploiting classes, the landowners and the reactionary bourgeoisie who had the independent Albanian state in

their hands and for years on end had oppressed and exploited the workers of the country, who had bartered away the freedom and independence of the Homeland and eventually sold it to Italian fascism, placed themselves in the service of fascist Italy and helped it to create and strengthen the administration of occupation in order to defend their interests.

The Communist Party of Albania called on the whole people to unite in the struggle against the occupier «without distinction as to religion, region or ideology». The entire Albanian people, all the patriots who cherished the freedom of the Homeland, responded to the call of the Party. The unity of all the broad popular forces which devoted themselves to the cause of the liberation of the country, was fundamental for the creation of the Anti-fascist National Liberation Front. In the foundations of this broad popular front lay the alliance of the working class with the peasantry, under the leadership of the working class. This alliance constituted the social basis of the people's revolution in Albania.

However, the national betrayal by the landowner class and the reactionary bourgeoisie, most of which was made up of the big merchant bourgeoisie, induced the Party to direct the edge of the Albanian National Liberation Movement against them, too, as the social support of and collaborators with the occupier.

In these circumstances, the National Liberation War assumed also the character of a people's revolution. The vigorous development of the revolution in an ever more democratic and popular direction was conditioned by the further differentiation of classes which developed in the heat of the war, by the consolidation of the leading role of the working class and the Communist Party of Albania which, with its correct and far-sighted policy for the consistent defence of the interests of the Homeland and the people, won, in a relatively short time, extraordinary authority among the masses of the people.

\* Enver Hoxha, *Reports and Speeches 1967-1968*, p. 161, Alb. ed.

1 *Principal Documents of the PLA*, vol. 1, p. 114, Alb. ed.



The reactionary classes, which became the social support of the fascist occupier, tried by all means to stem the course of the liberation movement. The creation of the traitor organization, Balli Kombëtar, which championed the interests of the main exploiting classes, the landowners and the reactionary bourgeoisie, served this end. The creation of Balli Kombëtar, and especially, its open collaboration with the occupier from the autumn of 1943 deepened the process of class differentiation. With the German occupation of Albania the entire local reaction organized in the traitor organization of Balli Kombëtar and Legaliteti, which rallied in their ranks the supporters of ex-king Zog, made common cause against the National Liberation Front.

Unable to cope with the National Liberation Movement singly, the reactionary organizations and groups linked themselves more closely with the occupier. In these conditions, the National Liberation War waged by the Albanian people against the occupiers and traitors, besides its national liberation character, assumed a more marked class character, the sternest form, the form of a civil war. In connection with this the Communist Party of Albania never hesitated to act resolutely, to expose all the manoeuvres of reaction and wage a merciless struggle for the total destruction of the reactionary organizations and bands of the exploiting classes.

It is clear that this struggle, which was led by the working class and its Communist Party and which was aimed against the fascist occupier and its local collaborators and against the main exploiting classes of the country, was not only a struggle for national liberation, for freedom and national independence, but also for social liberation, for the overthrow of the old landowner-bourgeois regime, for the establishment of a new order and the building of a new people's democratic state that would emerge from the National Liberation War of the Albanian people. The great historic merit of the Communist Party of Albania was precisely that from its founding it never separated national liberation from the

seizure of power by the working masses, seeing them as two tasks of the same strategic goal. This stand was in full compliance with historical experience. The experience of 1924 when the forces of reaction toppled the government that emerged from the bourgeois-democratic revolution, and especially that of April 7, 1939, had proved convincingly that the question of national independence could never be divorced from the establishment of a genuine democratic state which would rely firmly on the masses of the people and fulfil their aspirations. The old state of the exploiting classes not only proved itself to be completely incapable of bringing about the slightest social progress or ensuring national independence and sovereignty, but had put them up for auction in the interest of a small exploiting minority.

The main feature of the tactic of the Party for the problem of national liberation and the setting up of the new state power was the line of consistent armed struggle against the occupier.

The armed struggle created the possibility for the masses of the people, which were up in arms to decide their future themselves.

The war isolated the exploiting classes, laid bare the falsity of their patriotic declarations, exposed them as betrayers of the national interests.

The armed struggle dealt a blow, also, to the apparatus of the old landowner-bourgeois state which placed itself completely in the service of the occupiers in order to suppress the National Liberation War. It created a new ratio of forces, which in the course of the revolution, brought about the overthrow of the old social relations and the triumph of socialism,



series the resistance was unorganized and unable to cope with such an army equipped with modern weapons. Within a few days the Italian army ran over the whole territory of Albania.

The government of Rome proceeded immediately with the establishment in Albania of an administrative apparatus which would put the aims of Italian imperialism completely into the colonization and assimilation of the country.

## CHAPTER ONE

### THE AGGRESSION OF FASCIST ITALY AND THE ESTABLISHMENT OF FASCIST REGIME OF OCCUPATION IN ALBANIA

1. On April 7, 1939 fascist Italy attacked Albania. This aggression was a logical outcome of the expansionist policy which Italian imperialism had followed for years on end towards Albania and the entire policy of Ahmet Zog and his clique who had opened the doors of the country to the penetration of Italian capital in all fields, turning Albania into a semi-colonial country dependent on Italy.

After securing their political, economic, ideological and cultural positions in Albania, the Italian fascists decided that the time had come to dispose of Zog, who was a discredited and unserviceable figure, to unite Albania directly with their «Empire» which they were trying to build, and to have it as a bridgehead for their expansion in the Balkans to the detriment of the other peoples.

The betrayal by Zog and his government, who fled from the country after undermining the preparations for armed resistance and the disorganization of the army due to the work of the Italian instructors, favoured the Italian aggression. Although some volunteer units mainly from the ranks of the people clashed with the landing

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armies, the resistance was unorganized and unable to cope with such a big army equipped with modern weapons. Within a few days the Italian army ran over the whole territory of Albania.

2. The government of Rome proceeded immediately with the establishment in Albania of an administration which would suit its aims of integrating the country completely into the framework of fascist Italy and of carrying out the colonization and assimilation of the country.

In order to realize these aims the Mussolini government had ensured the support of Albanian reactionary political emigrants and exponents of the exploiting classes within the country. These individuals, who had collaborated closely with king Zog, abandoned him to unite with the Italians in whom they saw a more reliable guarantee for the protection of their privileges.

Initially the Italian fascists' plan, worked out by the foreign minister of the government of Rome, Galeazzo Ciano, and approved by Mussolini, envisaged that a prince of the Savoy dynasty, that ruled Italy, should be placed at the head of the «Albanian State». However, another plan was worked out later, which would permit a direct unification, i.e. the practical annexation of Albania by Italy.

The first measure the Italian embassy in Tirana took in this direction was the formation of an «Administrative Committee» with the function of an «Albanian provisional government» composed of the general secretaries of the ministries, and headed by Xhafer Ypi, one of the top-men of Zog's regime. The Italian embassy, on orders dispatched by Mussolini, was instructed to make sure that the provisional government should set up a Constitutional Assembly and offer the King of Italy, Victor Emmanuel III, the crown of Albania.

On April 12, 1939 the self-styled Constitutional Assembly was convened in Tirana. It comprised 159

members elected from among beys, big merchants, the reactionary clergy and degenerate intellectuals, many of whom had served faithfully not only the Zog regime but also the governments of the Ottoman Sultans. A great number of the «deputies» were urgently brought to Tirana from various regions of Albania<sup>1</sup> on board Italian planes.

The Assembly, chaired by Xhafer Ypi, took a decision which had been prepared beforehand by the Italian Ministry of Foreign Affairs, which declared the overthrow of the Zog regime and the invalidation of its Constitution, created a «government with full powers» and offered Victor Emmanuel III the crown of Albania in the form of a personal union.

The ceremony in which the crown of Albania together with the title «King of Italy and Albania, Emperor of Ethiopia» were conferred on Victor Emmanuel III, was organized in Rome on April 16.

With the proclamation of the «unification of the crowns» and with the creation of a government headed by the big landowner Shefqet Vërlaci, the Italian fascists wanted to give the appearance of legitimacy to their aggression against Albania, against a formally independent and sovereign state and a member of the League of Nations.

In fact, this was a clumsy attempt to cover up the annexation of Albania, its complete subjugation to Italy. There is no true sovereignty for a country which, under the disguise of formal independence, is placed in complete political, economic and military dependence from foreign occupiers as Albania was in reality during the fascist occupation. In this case there is no sovereignty, not only in the political sense but also in the juridical sense, despite the fact that on the basis of the declaration of the Italian Government in April 1939 and the decision of the traitor «Assembly», Albania was to retain

<sup>1</sup> See Francesco Jacomoni, *La politica dell'Italia in Albania*, p. 133, Cappelli editore.



its «sovereignty». In the international practice this is neither the first nor the last case when an imperialist state, which submits a small country, covers up its aggression with juridical forms, while speaking of the «sovereignty» of the submitted state.<sup>1</sup>

The real state of matters was clearly expressed by Count Ciano, who in his diary of April 12, 1939, noted: «There is no longer independent Albania»<sup>2</sup>, and by Jacomoni, who wrote in a rhetoric form that, «The union of Albania with Italy was not a 'personal' union limited only in a casual and temporary community of the head of the state. It was an intimate, lasting union of the life and destinies of the two states, based on very close links of solidarity and on ultimate common aims.»<sup>3</sup>

3. The duty of the occupation administration, which was created in Albania, was to implement the plans for the gradual colonization and annexation of Albania.

At the head of this administration was the «General Viceroy» which represented the King Victor Emmanuel III and had power of execution on his behalf.

1 The bourgeois juridical science is obliged to admit that the assessment of every case of personal union should be made not just by the formal appearance, but by the essence of «unity». Thus for example, the French lawyer, Charles Rousseau, in the paragraph «Pseudo Italian-Albanian personal union», writes among other things, that it is not an «authentic example of a personal union». «As for the way in which this union was decided... the Italian-Albanian union was unilaterally desired by the side which imposed it by force upon the other.» As for the functioning of this union, Rousseau points out that, «under the mask of unity, in fact, the Italian state monopolized all the competences which formerly belonged to Albania» (See Charles Rousseau, *Droit international public*, Paris, 1953, p. 98).

2 Galeazzo Ciano, *Diario 1937-1938, 1948*, Cappelli editore.

3 F. Jacomoni, op cit. p. 154.

Francesco Jacomoni, who up to 7 April 1939 had been at the head of the Italian embassy in Tirana and as such had played an important role in the preparation of the aggression, was appointed General Viceroy.

The appointment of Jacomoni as viceroy and the proclamation of Victor Emmanuel III as king of Albania were made by Italian decrees and laws, because the fascist occupiers did not care to get the Albanian quisling organs involved even for the sake of form in these actions. As a consequence, the proclamation of the king and the appointment of the viceroy did not figure in the Official Gazette of the «Albanian State».

The mainstay of the apparatus of occupation was doubtlessly the army, the command of which collaborated and co-ordinated its activities with the General Viceroy instead of subordinating itself to it. All other armed units, including the forces of repression, like the carabinieri and the police, were supervised by the Italian military command in Albania.

While in the first days of occupation, in the framework of fictitious «personal union», the «Albanian State» retained its own armed forces and the organs of foreign affairs, because the quisling government of Vërlaci comprised also the Ministry of Foreign Affairs, after a time the government of Rome decided to dispense with those forms of independent state.

On May 10, 1939, by decree of the General Viceroy the Albanian gendarmerie and the border guards were placed under the orders of the Italian commanders;<sup>1</sup> while on May 26 of the same year the quisling government of Tirana «proposed» the merging of the Albanian armed forces with the Italian forces, which was sanctioned by an Italian law on July 13, 1939.<sup>2</sup> As a consequence, the Albanian army was incorporated into the Italian army, the gendarmerie into the carabinieri units

1 Official Gazette, no. 29, 12 May 1939.

2 See *Raccolta di provvedimenti di carattere legislativo riguardanti l'Albania*, Roma 1941, p. 69.



and the border guards into the Italian units of customs service.

On June 3, the government of Rome and the government of Vërlaci signed an «agreement» stipulating that the Albanian Ministry of Foreign Affairs was to be abolished and the international affairs of Albania taken over by the Italian Ministry of Foreign Affairs<sup>1</sup>. Prior to this «agreement», on April 18, 1939, a «vice-secretariat for Albanian affairs» was attached to the Ministry of Foreign Affairs of Italy. Its powers covered the administration of the «external affairs» of the «Albanian State» and the supervision of the entire administration of occupation in Albania. Although the General Viceroy was the representative of the king of Italy, in fact he was subordinate to the Ministry of Foreign Affairs, and, in particular, to the «vice-secretariat for Albanian affairs».

The total dependence of the Albanian state organs on the Italian state was sanctioned in the «Constitution of the Albanian Kingdom»<sup>2</sup>. According to Italian practice, the Constitution was not endorsed by the assembly or some other state organ, but was directly approved by Victor Emmanuel III. It resulted from a merger of the provisions of the Italian Constitution with the Constitution of the Zogite monarchy. From the latter it adopted those provisions which gave the king greater powers than the Italian Constitution. On the basis of the Constitution, the «Albanian State» was formally a constitutional monarchy heritable to the Savoy Monarchy. Legislative powers were exercised by the king in collaboration with the Superior Corporative Fascist Council which was instituted by decree of the vice-royalty on April 3, 1940. This body comprised the members of the Central Council of the Albanian Fascist Party (including Italian fascist functionaries) and the effective membership of the Central Economic Corporative Coun-

1 See *Raccolta di provvedimenti di carattere legislativo riguardanti l'Albania*, Roma, 1944, p. 16.

2 *Official Gazette*, no. 40, 10 June 1939.

cil, hence, it had none of the attributes of the legislative organs in the bourgeois countries, which are set up on the basis of elections, even on a limited basis. The chairman and vice-chairmen of the Superior Corporative Fascist Council were not elected by its members, but nominated by the king who endorsed even the agenda of its meetings and exercised the power of veto, including the right of repealing draft-laws passed by the Council and returning them for re-examination. The Council had no right of control over the members of the government who were nominated and removed by the king and were answerable to him. Thus, on the basis of the Constitution and other provisions issued by the occupiers and the traitor government in their service, all legislative and executive powers were concentrated in the hands of the king, that is, practically in the General Vice-royalty which, being simultaneously an organ of the Italian Ministry of Foreign Affairs, was vested with full powers and had all the state organs under its dependence.

Apart from other things, the General Vice-royalty had control of these organs, also, through its permanent advisers who were attached in the beginning of June 1939 to the staff of every ministry. They were nominated by the General Viceroy, and ranked next to the cabinet ministers. They supervised all the offices of the ministries and their staff, had the right to sign all the acts for problems that came within their competences or were delegated by the minister. The permanent adviser at the Presidency of the Council of Ministers was considered the highest functionary in the state administration and had the right of control over it. Thus, in fact, the Italian advisers directed all the work in the ministries, carrying out the orders they received directly from the Vice-royalty.<sup>1</sup>

In this manner, in the period from April 7 to June

1 See *Official Gazette*, no. 39, dated June 9, 1939 and no. 86, dated September 25, 1939.



1939, the Italian fascists managed to set up their political machine in Albania, with the aim of eliminating any popular resistance by force of arms and preparing the conditions for the colonization of the country through the influx of capital and the gradual elimination of Albanians as a people and a nation by bringing colonizers from Italy.

4. As was said earlier, the fascist propaganda presented the occupation of Albania by Italy as a form of «personal union», whereas the measures which were taken until June 1939 and which led to the liquidation of the last traces of a fictitious independence were interpreted as an achievement of closer links in the form of a «real union» between the two countries. However, according to Jacomoni's declaration, this form, too, might be violated if the interests of the Italian policy required.<sup>1</sup>

Apart from the supreme organs, which the Italian fascists created in order to put up a legitimate façade to the occupation, they did nothing to change the general structure of the administration and juridical system of the Zog regime. This is understandable. First, the state apparatus set up and perfected during the rule of Zog was an anti-popular machine in the service of the exploiting classes, and was quite suitable, both in content and in form, to serve the fascist occupiers and their tools. Second, for years on end Italian organizers had worked in various levels of the apparatus of the Zog regime adopting many of the organizational structures, methods and laws of the Italian state.

The territory of Albania remained as before, divided into prefectures, with an administrative council each. The prefectures were divided into sub-prefectures, which exercised control over municipalities (in the main centres) and communes which had their respective councils.

<sup>1</sup> See F. Jacomoni, op. cit. p. 170.

However, real power, as in Zog's time, remained in the hands of the prefects and sub-prefects who, like the mayors and the chairmen of communes, were appointed by the Ministry of Internal Affairs. There was an alderman in every village.

The Albanian Fascist Party, as an integral part of the state apparatus, had its Constitution endorsed by decree of the General Viceroy and countersigned both by the quisling prime minister, Verlaci, and the secretary of the Italian Fascist Party, Starace.<sup>1</sup> The Constitution stated explicitly that «The Albanian Fascist Party is a voluntary civil militia under the orders of Benito Mussolini, creator and the Duce of fascism.» According to the Constitution, the members of the Albanian Fascist Party swore obedience to the orders of the Duce. Membership in the Albanian Fascist Party meant automatically membership in the Italian Fascist Party. The secretary of the Albanian Fascist Party received the Duce's instructions and orders through the secretary of the Italian Fascist Party, who had an inspector delegated to the Albanian Fascist Party. From the articles of the Constitution we can draw two conclusions: first, being under the direct dependence of the Vice-royalty, the Fascist Party was, in fact, a component part of the occupation apparatus and, second, while the Italian fascists tried to retain the appearance of a certain independence of the Albanian organs in the state institutions they discarded all disguises in the case of the Albanian Fascist Party which both formally and effectively depended on the Italian Fascist Party and became «an instrument of Italianization.»<sup>2</sup>

In general, the fascist occupiers retained the old legislation and juridical organization of the Zog regime which comprised the justice of the peace attached to every municipal office, the courts of prefectures with the attorney attached, the courts of appeal which heard

<sup>1</sup> See *Official Gazette*, no. 39, 9 June 1939.

<sup>2</sup> F. Jacomoni, op. cit. p. 164.



appeals on penal and civil questions from the lower courts of prefectures. The political offences against the order were tried by a special court which Zog set up in December 1925, after he came to power. Whereas military crimes were tried by military tribunals. However, apart from the laws in force in the Zog regime, the fascist occupiers did not hesitate to issue special laws and decrees to snuff out the anti-fascist resistance of the Albanian people, which began from the very first days of occupation. Such decrees were those of June 2, 1939 on the arrest and deportation of individuals dangerous to public law and order, and on the denunciation and surrender of arms and munition, that of January 28, 1940, on crimes «against the personality of the state» which envisaged severe penalty for every act committed against the Albanian and Italian fascist administration.

The fascist regime increased its repressive measures after Italy entered the war, in June 1940, on the side of Hitlerite Germany and, especially, after October 28, 1940 when it launched the aggression against Greece and turned Southern Albania into a theatre of fighting. The war caused a further deterioration of the economic situation in Albania, which was already difficult because of the systematic plunder of the country by the occupiers, legalized through an economic, customs and monetary convention signed on April 20, 1939 between the government of Rome and that of Tirana and which envisaged that the territories of both countries would be regarded as a single territory<sup>1</sup> on account of customs duties.

<sup>1</sup> Official Gazette, no. 27, May 1, 1939.

## CHAPTER TWO

### THE PROCESS OF THE EMERGENCE AND DEVELOPMENT OF THE NATIONAL LIBERATION COUNCILS

1. The hardships of the wartime, the great destruction caused by military operations in the territories of the prefectures of Korça and Gjirokastra and the attempts of the fascists at mobilizing the Albanians into their army exacerbated the situation, enhanced the indignation of the people against the policy of the fascist occupiers and their reaction to it. Acts of sabotage and insubordination increased, desertions of Albanian soldiers assumed a mass character and became alarming for the fascists.

The war, especially the war against Greece, laid bare the rottenness of the Italian fascist regime and its economic, political and military weakness. The defeats the fascist army suffered at the hands of the Greek army which succeeded even in driving the Italian troops out of part of Southern Albania, including Korça and Gjirokastra, brought fascist Italy and its regime into utter discredit. Only with the intervention of nazi Germany, which in the April of 1941 attacked Yugoslavia and Greece, did the Italian fascists manage to regain control of the regions of Southern Albania and, after the des-



truction of Yugoslavia, to occupy the greater part of Kosova and annex it to Albania, so in the framework of a «Greater Albania» or «ethnic Albania» the fascist regime of occupation was extended to Kosova, while Çamëria was placed under direct Italian military administration.

The Albanians were not taken in by the demagoguery of the Italian fascists and their lackeys about the fulfilment of the national aspirations of the Albanian people and the elimination of the injustices they had been the victims of in the course of history: clarified also by the active propaganda of the communists, the people were well aware that the «liberation» of Kosova meant in fact its enslavement by fascism, just as Albania's, and that the elimination of injustices done to the Albanian nation could be realized only on an entirely different basis, on that of the struggle of all Albanians against fascism both in Albania and in Kosova, in fraternity with the peoples of Yugoslavia and Greece and in the common anti-fascist national liberation struggle.

The resistance of the Albanian people to the fascist occupation and its administration, which had begun in the first days of fascist aggression, became ever greater with the passage of time. Resistance increased, especially during 1941, under the incitement and leadership of the communist groups. In 1941 the armed *çetas* and groups began their activities. The first to go into action was the *çeta* of Peza led by Myslim Peza after he met Comrade Enver Hoxha at the beginning of 1941. On March 4, 1941, this *çeta* attacked a military convoy on the Tirana-Durrës highway. Apart from the *çeta* of Peza, which was joined by some communists in the summer of 1941, groups of fugitives, especially army deserters, also began attacking the enemy.

The entry of the Soviet Union in the war against Germany and the other fascist powers on 22 June, 1941, as a result of the Nazi aggression, gave a fresh impulse to the Anti-fascist National Liberation War. The activity

of the communists was stepped up. By means of leaflets they called on the people to rise in the struggle against the fascists and the traitors.

Despite the fact that after the entry of the Soviet Union in the war the struggle of the masses of the people was raised to a higher level, yet the division of the communist groups, the lack of a political leading force hampered the extension and organization of this war. The existing situation, the new historical tasks, made the creation of such a leading force an objective necessity. In the conditions in which in Albania the exploiting classes, the landowners and the rich bourgeoisie had become the social support of the occupier, when there were no organized political forces apart from the communist groups, the role of a leading national force could be played only by a communist party founded on a revolutionary platform and by overcoming the divisions of the different groups. After a long preparatory work and a persistent struggle against the particularism and opportunism existing, especially, among the chiefs of the different groups, on November 8, 1941 the Meeting of the representatives of the different communist groups decided the merger of these groups to found the Communist Party of Albania. The Meeting elected the Provisional Central Committee of the Party with Comrade Enver Hoxha at the head, as the man who had played the main role in the denunciation of the defeatist stand of those elements opposing the founding of the Party and in the working out of the revolutionary line.

The founding of the Communist Party of Albania was a very great event in the history of the Albanian people who now had their trusted, loyal and revolutionary leadership, and, especially, a turning-point in the National Liberation War. From now on, this struggle assumed an organized character on a national scale as well as a coherent platform. This platform was worked out at the Meeting of the communist groups for the founding of the Party and further developed during the National Liberation War.



In this political platform the creation of a new democratic people's power was made dependent on the unity of the Albanian people in a single national liberation front and the development of the general armed uprising with the National Liberation Army as its main force. This correct position of principle of the CPA ensured the development of the new revolutionary state power parallel with the expansion of the liberation war.

2. The question of state power in Albania was resolved gradually, going through some stages. The Resolution of the Meeting of the main communist groups for the founding of the Party put forward the task that, parallel with the struggle for national independence, the struggle for «a popular democratic government in an Albania free from fascism»<sup>1</sup> should also be carried out. As can be seen, this strategic task was formulated in general terms, without indicating in particular the way in which this struggle would be waged, the composition of the popular democratic government and the time of its formation. From the above formulation it could be deduced only that, in those circumstances, the popular democratic government would be set up «in an Albania free from fascism». Neither the class character of this government nor the relation of the Communist Party to it were defined. However, from the above formulation and the other tasks set by the Resolution it was clear that the question was about a democratic government with a broad representative character which would also realize «the vital rights of the Albanian working people», which were mentioned in the Resolution, and that the Communist Party, which had launched the idea of the creation of such a government, could not fail to take part in it.

<sup>1</sup> Principal Documents of the PLA, Tirana 1971, vol. 1, p. 23, Alb. ed.

Less than 2-3 months elapsed since the founding of the Party and the tasks of the creation of the new state began assuming an ever more concrete form along with the vigorous development of events and the experience gained. The principal and main task put forward in the documents of the Party now was the creation of such organs as would mobilize the people in the National Liberation War and at the same time carry out some rudimentary government functions. These organs were the national liberation councils.

In the letter which the Central Committee of the Communist Party of Albania addressed to the regional committees in February 1942, the national liberation councils were described as «the embryo of our future government», which «would administer justice, maintain law and order in the zones of the rear and look after the poor». «With these,» says the letter, «the foundations are laid for the creation of our state.»<sup>1</sup> Setting the task for the creation of the national liberation councils in its directives to the party organizations in June 1942, the Central Committee of the Communist Party of Albania called on the «communists to present themselves to the masses with the program of a truly democratic-popular government which would ensure the people all the democratic rights» (underlined in the original).<sup>2</sup> The Party called for the «creation of the national liberation councils which must link our Party with the masses, both in the liberated and unliberated zones.»<sup>3</sup> These directives of the Central Committee of the Party described the national liberation councils as organs through which the whole people would be mobilized in the general national liberation uprising. At the same time, it was pointed out that in the liberated areas, the national liberation councils should also be

<sup>1</sup> Principal Documents of the PLA, Tirana 1971, vol. 1, p. 45, Alb. ed.

<sup>2</sup> Ibidem, p. 78.

<sup>3</sup> Ibidem.



organs for the material supply of the partisan units. Through the national liberation councils the Party aimed at rallying the whole people, all the patriots, irrespective of their social position and political convictions, in the war against fascism. Besides, the Party knew that, in the first place, the councils would be organizational forms of the alliance of the working class with the working peasantry, that is, of the two classes which were interested more than any other in carrying the struggle against fascism and its tools through to the end. The directives of the CC of the Communist Party of Albania said: «The militant representatives of all the political trends among the people which are for a decisive war against the occupier, especially the poor workers and peasants, should take part in these councils.»<sup>1</sup>

The entire peasantry without exception was interested in the struggle for the anti-feudal democratic revolution, but experience showed that, in this struggle for the implementation of the minimum program of the Party, the poor peasantry, which made up the greatest part of the Albanian peasantry, was again the most consistent and faithful ally. Such a fact also determined the character of the national liberation councils as organs through which the alliance of the working class with the poor peasantry of our country was forged, in the first place.

According to the instructions of the Central Committee of the Party national liberation councils were set up in many villages in the spring and summer 1942. Within four months, since April 1942, national liberation councils were set up in more than 100 villages after the destruction of the administration of the aldermen who were part of the occupation system.

However, the foundations of the people's power were laid at the 1st National Liberation Conference which

<sup>1</sup> *Principal Documents of the PLA*, Tirana, 1971, vol. 1, p. 78, Alb. ed.

was held in Peza on 16 September 1942 on the initiative of the Communist Party of Albania.

The Conference of Peza was supposed to be held earlier, but it was constantly postponed as some nationalists (who later became the chiefs of Balli Kombëtar) dragged on the talks in order to undermine it.<sup>1</sup>

Besides the delegation of the Communist Party which was headed by Comrade Enver Hoxha, present at the Conference were also the representatives of the organizations of the Anti-fascist Youth and the Albanian Women. Nationalists of various trends took part in the Conference, too. Some of them remained to the end faithful participants in the National Liberation Movement, loyal allies of the communist Party of Albania. Some others, among them Abaz Kupi, the representative of the Zogites, were vacillating allies. They accepted to take part in the Conference only for tactical reasons, in order to pass themselves off as «resistants» to fascism so as to win credit with and the sympathy of the people. Mithat Frashëri and some other nationalists who later formed Balli Kombëtar, after having failed in their attempts to undermine the Conference, did not take part but only sent an observer there. The Conference of Peza elected the Provisional National Liberation General Council composed of 7 members and adopted a Resolution calling for the setting up of national liberation councils all over Albania and defining their tasks. In the unliberated zones the councils would be organs of the war whereas in the liberated zones the Resolution charged the councils with tasks not only as organs of the war but also as organs of the state administration. «In the liberated zones», the Resolution said, «the national liberation councils carry out state, not military functions, maintain law

<sup>1</sup> Ndreçë Plasari, *The Alliance of the Working Class with the Peasantry During the National Liberation War and the People's Democratic Revolution*. «Bulletin of Social Science of the State University of Tirana», No. 1/1958.



and order, fight against the traitors, check on people's movement, curb crime, etc. The councils look after the economy and the food supply for the people, organize trade and finance..., develop education and carry out cultural activities with the masses of the people.»<sup>1</sup> They would also administer justice on minor matters and especially reconcile people divided by blood feuds.

Besides giving direct assistance to the National Liberation War, which was the main task of the councils in the unliberated zones, the Resolution of the Conference of Peza also stressed the role of the councils as organs of the people's revolution directed against the main exploiting classes in the service of the occupier. «... Organized resistance must be put up to the Agricultural Bank,» said the Resolution, «to the anonymous companies which want to dispossess the peasant of his land... The councils must expose all the profiteers and the agents of the occupier.»<sup>2</sup>

Right from the start the Communist Party of Albania was aware of the major role the national liberation councils would play in the future. «*The importance of the national liberation councils is great.* They carry out government functions (underlined in the text).»<sup>3</sup>

Thus, the role of the councils as organs of the war and, at the same time, organs of state administration and, further more, embryos of the future state order in Albania was laid down at the Conference of Peza. However, despite their character as organs of the state administration, the primary task of the councils at that time was that of uniting and mobilizing the people in the general uprising against the occupier and the local traitors.

1 Resolution of the Conference of Peza. *Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana 1962, p. 13, Alb. ed.

2 Ibidem.

3 Ibidem.

The councils were collegial organs of representatives of the broad masses of the people. In their form and organization the councils were similar to the Soviets which were set up in Russia during the revolutionary struggle against the tsarist autocracy and affirmed themselves as organs of the state of the working class, and also considered the experience of the Paris Commune. However, the national liberation councils emerged in the peculiar conditions of Albania during the National Liberation War and had tasks and a composition totally different from those of the Soviets. The national liberation councils had a broader class basis. They were organs of the National Liberation Front which was a union of workers, peasants, intellectuals, all the other working people and all the patriots who joined the war against fascism. The idea of the councils as representative organs of the people was immediately embraced by the Albanian people who in their centuries-long struggle against the foreign occupiers had frequently set up their conventions as organs of resistance and of self-government, the decisions of which were obligatory for all and everybody. At the same time, in their very content the councils were the negation of all the former forms of government.

The election of the Provisional National Liberation General Council at the Conference of Peza predetermined the form of organization of the councils in a single system of organs of state administration of all levels led by the National General Council, which was the highest political organ of the war against the enemies and the local traitors. The Resolution of the Conference of Peza did not specify the tasks of the National Liberation General Council. From the Resolution and the Appeal of the National Liberation General Council addressed to the people it emerges only that it was the supreme organ of the war against the enemy and the local traitors. It was not invested with the functions of a government, which were intended for the «Provisional Supreme Council of Albania» which would emerge from the war toge-



ther with the «Staff».<sup>1</sup> However, the fact that the General Council was at the head of the system of national liberation councils, which from the very beginning performed also state functions, leads to the logical conclusion that, in principle, it could not be divested of these functions either, irrespective of the fact that up to the autumn of 1943 it did not devote particular attention to them.

The Conference of Peza also discussed the problem of the political regime, that is, the form of government Albania would have after the war. Aware of the fact that defining prematurely the form of the future order would hamper the union of all the forces ready to participate in the National Liberation War, the Communist Party avoided this definition in its platform, stressing only that the problem of the political order would be resolved by the people themselves after liberation from the fascist yoke. With the insistence of the representatives of the Communist Party, the Conference of Peza rejected the proposal of a representative of the nationalists who called for «a democratic republic».<sup>2</sup> Since all the delegates, including Abaz Kupi, were of the opinion that the question of King Zog would also be decided by the Albanian people, the Conference was unanimous in understanding that the appeal of the Resolution for a «free, undivided, independent and democratic Albania» implied a democratic order, about which all the delegates, including the Zogites who pretended to be supporters of democracy, were in agreement.<sup>3</sup> In this way the platform put forward by the Communist Party demanded the creation of a democratic government, while at the same time avoiding all discussion about the nature of the political order which was understood differently by political trends. The subsequent development of the National

1 Documents of the Supreme Organs of the Revolutionary National Liberation State Power, Tirana 1962, p. 13, Alb. ed.

2 Central Archives of the Party, Fund No. 40, File No. 1.

3 Ibidem.

Liberation War proved the correctness of this stand of the Communist Party.

The Conference of Peza had particular importance for the National Liberation War of the Albanian people, for the creation of the new people's power. It played a major role in the mobilization of the broad masses of the people around the platform of the Communist Party of Albania and in stepping up the process of the destruction of the state administration of the occupiers and the local traitor cliques, as well as in the setting up of the organs of the new state power, the national liberation councils.

The Resolution of the Conference of Peza was the first juridical act which defined the form and organization of the people's power in Albania, although still in general terms.

The Conference of Peza imparted a fresh impulse to the creation of the national liberation councils. The proliferation of the councils was caused by some factors:

First, in regard to their character the national liberation councils were organizations of a broad representative character which won over the broad masses of the people and showed them in practice their superiority over the organs of the old state administration. The councils rallied and mobilized an ever greater number of sympathizers and supporters of the National Liberation War. Their decisions were taken with the direct participation of the people and reflected fully their will, especially in the countryside.

Second, the national liberation councils had a democratic character which became even more evident when compared with the organs of the old state administration, which had become even more anti-popular when they were placed at the service of the occupiers. Unlike these organs, the members of the councils were democratically elected even in the difficult conditions of illegality which existed at that time and those of them who showed themselves unworthy of the trust of



the people could be revoked by the latter; the composition of the national liberation councils was renewed several times in the course of the war in order to replace those of their members who had joined the army, who had been arrested or those who wavered.

Third, in regard to their structure and functions, unlike the organs of the old state administration built on the principles of bureaucratic centralism, the national liberation councils were built on the principles of democratic centralism. They took collective decisions. The councils of the lower instances applied the principle of collective leadership in close contact with the people. When, at a later period, the councils of the higher instances formed their executive organs to facilitate work, the council members retained their full right to control the work of these organs and revoke their members. In this way, the national liberation councils carried on their activity so as to combine direct democracy in the lower instances with the principles of representative democracy.

Characteristic of the state power of the national liberation councils was that it was formed from bottom up. First, national liberation councils were set up in villages and towns and then the National Liberation General Council was created. This, of course, does not mean that this process developed spontaneously, without any direction. On the contrary, this process took place under the direct guidance of the Central Committee of the Communist Party of Albania which issued all the necessary instructions for the creation and organization of the work of the councils.

The partisan units also played an important role in the creation of the councils. Typical is the fact that through its various formations, and especially its local commands in the districts, the National Liberation Army carried on state functions until the summer 1944 when these commands were placed under the administrative dependence of the national liberation councils.

The process of the creation of a new state is inseparable from the process of the creation of its armed forces. This was proved true in the case of Albania, too. The creation of the first national liberation councils in the spring 1942 was accompanied with the formation of partisan units and *çetas* in various regions of the country. The proliferation of these partisan formations, their constant tempering in clashes with the enemy led to a higher military organization of the national liberation movement. On this basis, the National Conference of the Communist Party, which was held in March 1943, pointed out, «The National Liberation Army of the Albanian people is becoming a reality due to the ever greater participation of the people in the war.»<sup>1</sup> Stressing that the formation and consolidation of the National Liberation Army was the main sector of the work of the Party, the Conference instructed to work for «the creation of the regular National Liberation Army from voluntary partisan units.»<sup>2</sup> Implementing the decisions of the 1st National Conference the CC of the CPA in April 1943 issued concrete directives about the formation of larger military units and staffs in the different zones and districts of the country, as well as the General Staff. «At present we no longer carry on small actions,» the Circular of the CC of the CPA said. «Now we are confronted with the problem of the liberation of the whole of Albania and this cannot be done by two or more *çetas*: a regular army is indispensable.»<sup>3</sup>

The partisan army was becoming the regular army of the Albanian people and the new Albanian state which was in the process of its revolutionary creation. Its task was not only to drive the occupiers out of

1 *Principal Documents of the PLA*, vol. I, Tirana 1971, p. 123, Alb. ed.

2 *Ibidem*, p. 140.

3 *Ibidem*, p. 152.



Albanian territory but also to guarantee the independence and territorial integrity of the Homeland against any possible aggression. So, in May 1943, when the southern borders, from Devoll to Konispol, came under the control of the partisan *çetas*, the CC of the CPA and the General Council of the National Liberation Front decided to set up border control posts.

With the formation of the General Staff of the National Liberation Army in July 1943 we went over to the organization of a regular army and the general people's uprising.

One of the first measures of the General Staff of the National Liberation Army (NLA) was the setting up of the military administration in the rear areas. The military administration in the rear areas, the forerunner of the people's police, was a component part of the National Liberation Army. Its duties were to protect the national liberation councils and implement their decisions, to maintain law and order in the liberated zones, to recruit volunteers for the partisan ranks, to supply them with arms, equipment and food, to organize the health service and public works in the rear areas in agreement with the national liberation councils where they had been formed to set up an information service against the occupiers, to combat spying and sabotage activities of the enemy, to exercise control over the utilization of the property confiscated from the enemies of the people and to carry out the decisions of military courts. The military administration in the rear areas was made up by regional and local commands dependent on regional and zone staffs.<sup>1</sup>

<sup>1</sup> The documents of that time refer to military administration as distinct from civil administration (that of the national liberation councils). This was understandable in the circumstances when the national liberation councils were not yet created everywhere and the National Liberation Army, which comprised the more active forces of the people, had greater authority than

In this way in the summer 1943, the national liberation councils had assumed the form of a true people's power with a definite and relatively broad territory and the support of its armed revolutionary forces.

In the meeting of the (Provisional) General National Liberation Council in Labinot on July 4, 1943, where Comrade Enver Hoxha read the main paper on the national liberation councils,<sup>1</sup> it was pointed out that despite the great obstacles, the process of the formation of the councils in towns and villages had continued after the Conference of Peza. The work of the General National Liberation Council had been hampered by the passivity of some of its members and by Balli Kombëtar (which had been created as a reaction against the anti-fascist national liberation movement). However the Council had worked for and helped in the creation of councils at the base. Among others, it had helped in the formation of the national liberation council in Durrës, where *Bashkimi*, the first organ of the National Liberation Movement, was issued, in Korça, Vlora and Mallakastra, where the work of the councils in the villages was directed by the regional councils, in Gjirokastra, where despite the obstacles councils, issued from broad conferences, were working in regions and villages, in Elbasan and Berat where councils had been created in villages, regions and in the cities. The number of the councils in the region of Shkodra was still limited, while in those of Kruja and Mat they were about to be set up. In Dibra there were a few councils and this was due to the sabotage of the reactionary gentry. In Tirana, with

the councils themselves. However, the need for a closer collaboration between the military and civil administration and a correct stand towards the members of the councils on the part of the partisans and commanders of the army was always emphasized (see *Principal Documents of the General Staff*, vol. 1, p. 211, Alb. ed.).

<sup>1</sup> Central Archives of the Party, Fund No. 40, File No. 1.



all its contradictions as the capital of the country, the councils were set up not only on a city quarter and general city level but also in the different ministries.<sup>1</sup> Despite the lack of directives from the centre and some unavoidable shortcomings in their work, the councils in general did much for the unity of the people and a remarkable success of theirs was that in those places where they carried on their work there were no more blood feuds, an old evil which was widespread in the Albanian highlands and villages.

## 2. THE NATIONAL LIBERATION COUNCILS, THE ONLY STATE POWER OF THE PEOPLE

1. The 2nd National Liberation Conference held in Labinot in September 1943 marked a further step forward in the strengthening of the national liberation councils and increasing their numbers. Because of enemy opposition the number of those participating in this Conference was 45 instead of 150-200 envisaged.<sup>2</sup> Despite this the Conference went on successfully and represented an important stage in the development of the National Liberation War.

The national liberation councils had gained more experience and affirmed themselves as the only organs of the people's power. They had withstood the campaign of reaction which had tried to discredit them and prevent their proliferation. The emergence of Balli Kombëtar in the political arena, the ties of this organization with the rural gentry, especially in Southern Albania, caused many members of the national liberation councils to waver and hesitate, which led to the dissolution

<sup>1</sup> As far as we know, this is the only case when exception was made of the principle of territorial extension of the councils.

<sup>2</sup> Central Archives of the Party, Fund No. 40, File No. 4.

of some councils. However, as a result of the reaction of the Party and the National Liberation Front, their concrete actions and the actions of the partisan forces, and the policy of compromise with the occupier pursued by Balli Kombëtar, the people's trust in the national liberation councils as organs of war and of power was enhanced, and the councils succeeded in overcoming the difficulties created, implementing the directives of the 1st National Conference of the CPA for a broader extension of the activities of the councils in towns and villages and gaining a rich experience in the accomplishment of their tasks. On the basis of this experience, on the initiative of the CC of the CPA, the General National Liberation Council in its meeting of July 1943 endorsed the Constitution and Rules of the national liberation councils which went to the 2nd National Liberation Conference for final approval.

The decisions of this Conference, which are included in its Resolution, as well as in the Constitution and Rules of the national liberation councils, reflect the upsurge of the struggle of the Albanian people, the class differentiation which was taking place, as well as the gradual extension of the authority of the councils to the entire country.

Acceptance of the councils by the majority of the people as their true state power, as well as the imminent liberation of Albania as a result of the defeat of the fascist powers, resulted in these acts envisaging concrete measures for the organizational consolidation of the national liberation councils as the only state authority which would be left in Albania after the victory over fascism.

The review of the activity of the Provisional General National Liberation Council showed that «from the Conference of Peza onwards, the National Liberation Movement has assumed great vigour, national liberation councils have been formed almost throughout Southern and Central Albania and the conditions are being created



to set up national liberation councils everywhere, including Northern Albania.»<sup>1</sup>

The Conference demanded as an indispensable condition for any possible agreement with the other political trends outside the national liberation movement the «recognition of the national liberation councils as the only political power of the people in Albania.»<sup>2</sup>

Seeing that despite major successes, the national liberation councils had not everywhere exercised their function properly as political organs of the people's power, that they had not established everywhere sound links with the General Council and other councils, that the General Council itself, also due to the small number of its members, had not exercised effective control over the councils at the base, the Conference took measures to strengthen the councils organizationally, so that they exercised to the full their civil power in close collaboration with the commands of the National Liberation Army.

The General National Liberation Council, which emerged from this Conference, had to elect a committee as its executive organ.<sup>3</sup> The Standing Committee was also the supreme representative organ of the state. At the same time, the Conference decided that attached to the General Council there should be various sections such as the sections for internal affairs, finances, the press and propaganda, health, and others.<sup>4</sup> These sections depended directly not on the General Council but on its committee which may be considered as the nucleus of the highest organ of state administration, the future

<sup>1</sup> Resolution of the 2nd National Liberation Conference in *Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana 1962, p.55, Alb. ed.

<sup>2</sup> Ibidem, p. 58.

<sup>3</sup> Ibidem, p. 63.

<sup>4</sup> Ibidem, p. 60.

people's democratic government.<sup>1</sup> Hence the competences of a state character, carried out by the highest organ of the state, the General Council, began to be differentiated from the competences of an executive character which its Standing Committee realized. In this way the Conference of Labinot fulfilled the task set by the Conference of Peza for forming a «Provisional General Council of Albania» just as the task for the creation of the General Staff of the National Liberation Army was realized in July of 1943, again at Labinot.

The Rules and the other acts adopted by the Conference of Labinot defined the competences of the national liberation councils more fully and broadly than the Resolution of the Conference of Peza did. While the Resolution of the Conference of Peza charged the councils with the administration of justice in some matters of minor importance, in «The Regulations of the National Liberation Councils» it was expressly stated that the councils «were called upon to solve all the differences amongst peasants and towns-people, look into all complaints which come under the competence of the courts and which are made since the beginning of the National Liberation War.»<sup>2</sup> The extension of the juridical competences of the national liberation councils reflected the process of destruction of the oppressive fascist state apparatus, as well as the enhanced authority of the organs of the new revolutionary state power among the masses of the people.

For the first time the Rules made a clear definition of the links comprised in the system of the national liberation councils, from village councils to the General National Liberation Council.

Besides this, the Rules defined the election system

<sup>1</sup> See Dh. Dhima, *The Constitutional Law in the PRA*, Tirana 1963, p. 67.

<sup>2</sup> *Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana 1962, p. 65, Alb. ed.



by open ballot and delegation with the exception of the village councils which were elected directly by the people. This would put an end to the practice when, in some cases, the composition of the councils was determined from above, which could not be avoided in the difficult circumstances of illegality in the zones occupied by the enemy.

From the juridical point of view the Rules of the national liberation councils may be considered as the first organic act of our new state power.<sup>1</sup>

The Constitution of the national liberation councils which is a document of a programmatic character enlarges and concretizes the platform adopted at the Conference of Peza in compliance with the conditions created through the development of the National Liberation War.

The Constitution stressed that the objective of the National Liberation Movement and councils was not only for the liberation of Albania from the fascist yoke but also for an independent, democratic and people's Albania.<sup>2</sup> The national liberation councils were the «nuclei of the political power of the Albanian people». At the same time it was pointed out that, «after the abolition of the foreign domination, the people would choose the form of the state order of their free will.»<sup>3</sup>

The articles of the Constitution show that the process of the people's revolution was developing and that the fundamental question of this revolution, just as of any other revolution in history, was that of the future state order, of its character and form.<sup>4</sup>

1 Organic acts or laws are those juridical norms which determine the principles of organization and activity of part of the state mechanism.

2 Documents of the Supreme Organs of the Revolutionary National Liberation State Power, Tirana 1962, p. 62, Alb. ed.

3 Ibidem.

4 Ibidem.

As to the immediate objectives of this revolution, it is clear that they were dependent on the development of the war against the occupiers, on the demands of this war which should be extended further so as to involve all the strata of the people and all those who were determined to fight for liberation from the foreign yoke. Hence, the Constitution stressed that «private property as well as private initiative in industry and in the economy in general will not be affected»<sup>1</sup> and that radical transformations in social life (customs, etc.) and the organization of labour will not be made.»<sup>2</sup> It should be pointed out that while referring to the inviolability of private property in industry, the Constitution did not mention agriculture. This omission is clear indication that the question of the land was the principal question of our people's revolution which called for immediate solution.<sup>3</sup>

Besides the provisions which guarantee private property and initiative, the Constitution and other acts adopted by the 2nd National Liberation Conference sanction the first elements of the future state property, that is, economic base of the independent people's democratic Albanian state. «Communal and state property is considered property of the national liberation councils

1 Documents of the Supreme Organs of the Revolutionary National Liberation State Power, Tirana 1962, p. 62, Alb. ed.

2 Ibidem.

3 This emerges also from other subsequent documents of the National Liberation Movement which express concern about the situation of the peasantry and envisage concrete measures even in wartime. In the letter of the Committee of the General National Liberation Council, of 20 February 1944, addressed to the councils of Vlora and Gjirokastra, it is stressed that the Constitution and Rules of the national liberation councils must serve as fundamental orientations in confiscations and requisitions and that when the property of a traitor is confiscated, one third of his property or the percentage of it in the hands of the peasants should not be confiscated. However, the determination of



of each respective territory. The private owners must in no way interfere with this property.»<sup>1</sup> At the same time, «all confiscated, movable and immovable property becomes property of the whole people and is included in the national liberation fund, that is, is under the control and management of the National Liberation Council (of the commune or prefecture).»<sup>2</sup>

So, as Comrade Enver Hoxha said, «besides the task of centralizing and strengthening the councils, the General National Liberation Council and its Committee elected at the 2nd Conference of Labinot also faced that of the reorganization of social life in the liberated countries...»

The Conference of Labinot led to the consolidation and centralization of the people's state power. However, its significance increases even more if we bear in mind that it took decisions over a series of problems of principle, such as ensuring the recognition of the national liberation state power as the only state power in the country and the determination of the form of the future

the new state power to assist the peasantry and to take preparatory measures for the solution of the question of the land is expressed in the Circular of the Economic Section, No. 3, dt. 3.8.1944, and especially in that of 2 October 1944. This circular is about the importance of collecting statistical data about the economic situation of each village stressing that statistics «will serve later to carry out reforms in the countryside which will lay the foundations of our reconstruction, as envisaged by the National Liberation Front» (See *Documents of the Supreme Organs of the National Liberation Revolutionary State Power*, Tirana 1962, p. 115 and 206).

<sup>1</sup> See *Principal Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana 1962, p. 62, Alb. ed.

<sup>2</sup> Ibidem, p. 69.

\* Enver Hoxha, *Works*, vol. 2, p. 211, Alb. ed.

state by the people themselves after Liberation, as well as the liquidation of all the organs of the state power of the enemy in the liberated areas.

### 3. ESTABLISHMENT OF A NEW ADMINISTRATION BY THE GERMAN OCCUPIERS

1. — After the capitulation of Italy on 8 September 1943, the German forces that had entered Albanian territory and come under partisan fire as early as July 1943, invaded Albania. The National Liberation Army received the nazi occupiers with bullets. In the fightings which took place on the Struga-Librazhd highway, at Drashovica of Vlora, at Kardhiq of Gjirokastra, on the Elbasan-Tirana road, at Kruja, Konispol, Saranda, Bilisht and at other places, the Germans suffered heavy losses. Infuriated at the resistance of the people, they massacred the innocent inhabitants of the Skuterra village in the vicinity of Krraba, as they had done with Borova in June of that year. Due to the resistance put up by the ANLA, the German troops, which numbered about 70,000 men, did not succeed in occupying the whole territory of Albania. Most of the countryside and some cities remained free.

In order to deceive the Albanian people the German nazis claimed that they had come to Albania forced by the war circumstances, that their aim was the re-establishment of an independent Albania liberated from the yoke of Italy.

For this purpose a «National Committee» was convened in Tirana on September 14. It «decided» to re-establish the independence of Albania, an act which would be sanctioned by a «National Assembly» to be convened later. The «National Committee» of 22 members, many of whom were notorious agents and supporters of German nazism, formed a Provisional Executive Committee of 6 members headed by the big landowner Ibrahim Biçaku.



In its first appeal the Provisional Executive Committee called on the people to cease fighting against the Germans «who have come only as friends and only because of the circumstances of the war.»<sup>1</sup>

The tactics of the German occupiers and their tools was more flexible and cunning than that of the Italian fascists. At first the new quisling officials were lavish in compliments about the struggle of the people and youth against fascist Italy, trying to capitalize on the national sentiments of Albanians, especially on the problem of Kosova which came first in their propaganda. For this purpose, on September 16, 1943, the so-called Second Congress of the League of Prizren was organized in Prizren which expressed the will of the people of Kosova to be united with the rest of the Albanian people. By this act the Germans and their tools wanted to create the impression that only now, with the coming of the German forces, would the genuine union of Kosova with Albania be achieved on the basis of self-determination, while presenting the former union proclaimed by Italian fascism as a mere act of colonialist annexation.

A few days after the creation of the Provisional Executive Committee, the German minister plenipotentiary for Southeastern Europe, Hermann Neubacher, declared that the government of Berlin recognized this Committee which was in charge of the state affairs of «independent» Albania.

2. — The self-styled National Assembly convened on October 16 in Tirana to give a constitutional character to the decisions of the Provisional Executive Committee and consolidate a regime resting on German bayonets. The Assembly revoked the April 12, 1939 decision of the traitor Assembly which had «offered» the crown of Albania to Victor Emmanuel III of Italy and invalidated all other decisions and agreements which sanctioned the «union» of Albania with Italy. In this

<sup>1</sup> Newspaper *The Nation*, dt. 16 September 1943.

manner the decisions of the traitor Assembly, which had never had any juridical value and which had been invalidated by the heroic struggle of the Albanian people, assumed juridical value. On the other hand, the «National Assembly» adopted the legislation of the Italian occupiers, by proclaiming that all the laws, decrees and provisions proclaimed by them from April 7, 1939 up to September 14, 1943 would remain in force, with the exception of those abrogated and those incompatible with the decisions of the «National Assembly». Among the acts which were revoked was the draft-law of June 1940 which considered Albania as a cobelligerent of Italy. This was intended to sanction the course of «neutrality», proclaimed by the new quisling regime, a course which suited the Hitlerites' plans to use the territory of Albania in their war with the Allied Powers.

With the assistance of the Hitlerites, Albanian reaction tried to set up a state machine capable of suppressing or at least coping with the National Liberation War extending. For this purpose it exhumed some political institutions and constitutional laws of the Albanian state prior to April 7, 1939. The Constitution of the Zogite monarchy of December 1, 1928 was restored to the extent it did not contradict the decisions of the «National Assembly». The Supreme Council, elected by the National Committee, was placed at the head of the state. The Supreme Council was composed of 4 members and was to govern the state for 3 months. It acted as the head of the state, had the general command of the armed forces, nominated high state officials, issued decrees and regulations for the implementation of the laws, concluded the agreements and treaties which were passed on to Parliament for approval, could declare war with the approval of the Parliament, with the exception of the case of defence against sudden aggression. All the other attributes with the exception of those that ran counter to the character of this institution, which according to the Constitution of 1928 belonged to the king, were exercised by the Supreme Council.



During the discussion at the «National Assembly» it was made clear that the Council was the Supreme Council of the Regency.<sup>1</sup> It was to exercise executive power until the end of the war, as well as legislative functions, which it would share with the Parliament according to the Constitution of 1928. The Parliament had the right to delegate its legislative attributes to the executive power for a period of time. Four of the most notorious representatives of the exploiting classes: Mehdi Frashëri, Lef Nosi, Father Anton Harapi and Fuat Dibra were elected to the Supreme Council. Mehdi Frashëri, one of the exponents of the Zogite regime, was the first chairman of the Supreme Council. Contrary to the rules set by the «National Assembly», he held his chairmanship not for 3 months but throughout the existence of the Supreme Council, that is, during all the time of the German occupation.

After the election of the Supreme Council a government headed by Rexhep Mitrovica was formed. Rexhep Mitrovica was one of the chiefs of the anti-Zogite nationalist organization «The National Union», who had come to terms with Italy on April 7, and was closely linked with the chiefs of Balli Kombëtar and the reaction in Kosova. After giving their vote of confidence to the government (with the formation of the latter, the Provisional Executive Committee ceased its activity) the «National Assembly» decided to turn itself into a Parliament and delegated its legislative attributes to the executive power for all the time the chairmanship of the Parliament deemed it necessary. Indeed, prior to this, the Assembly had decided that «because of the state of emergency and lack of time» it would delegate all its attributes to a representation emerged from among its ranks and made up of two persons from each prefecture. «The state of emergency» was caused by the shelling of the palace where the traitor assembly convened, on October 18, by the artillery of the National Liberation Army. This

<sup>1</sup> *The Nation*, dt. October 23, 1943.

action was accompanied with the distribution on that same day in Tirana of a leaflet of the CPA with the heading «How do the Albanian people reply to the Assembly of the Gestapo? WITH CANNON!»<sup>1</sup>

Besides the supreme organs of state administration, reaction tried to set up a state administration in the regions, too. To this end decided to re-establish the municipal assemblies and councils as well as alderman's councils as they were prior to April 7, 1939, with the same persons, if they were still alive, with the vacant places being filled according to the rules in force. This measure was a desperate and fruitless attempt to counterpose the shadow of a vanishing power propped up only by the German arms to the power of the national liberation councils. The attempts of the traitor government to recreate the «Albanian army» met with the same fate. The youths who were called to arms either went into hiding or joined the ranks of the National Liberation Army.

3. — The tactics of the German occupiers for the creation of an «ethnic» Albania, formally independent but effectively under their complete control, was welcomed by all the reactionary forces, including Balli Kombëtar and Legaliteti, which saw in the Germans the only refuge against the National Liberation Movement and in this ploy the last chance to maintain state power in their hands. So, the exponents of Balli Kombëtar and Legaliteti were quick to gain the high state organs which were created and placed at the service of the German occupiers. In the struggle against the National Liberation War the forces of Balli Kombëtar and Legaliteti lined up on the side of the German troops, although they tried by all manner of means to cover up their open collaboration with the occupiers.

The National Liberation Movement replied to the betrayal of reaction by stepping up the armed struggle. This struggle began, first, against Balli Kombëtar which

<sup>1</sup> *History of the PLA*, Tirana 1968, p. 132, Eng. ed.



had long been following a course of open collaboration with the enemy. On October 1, 1943, the Central Committee of the CPA instructed that «Now unity with Balli Kombëtar is pointless and there is no longer any question of it. The question now is to destroy Balli Kombëtar.»\* The open struggle against Legaliteti began later because the Communist Party and the National Liberation Front tried for a certain time to convince this organization to fight against the Germans by joining the National Liberation Front. However, Legaliteti and its chief, Abaz Kupi, sank ever deeper in the quagmire of betrayal. On the one hand, Legaliteti collaborated with the British missions in Albania which aimed at counterposing this organization to the National Liberation Movement, while on the other, supporting the quisling government and Balli Kombëtar relied on the Germans. The latter were not against collaborating with Legaliteti and the idea of Zogite regime, although they were well aware of the Zogites' links with the British. What united the reactionary forces was the struggle against the National Liberation Movement and the Communist Party. The benevolent attitude of the German occupiers towards the Zogites was seen in the creation of the Supreme Council of the Regency and the role Mehdi Frashëri was allowed to play in the appointment of Zogite officers, in the free distribution of the «illegal» press of Legaliteti.

#### 4. THE STRUGGLE TO LIQUIDATE THE STATE APPARATUS OF THE OCCUPIERS

The process of the creation and development of the revolutionary state power was linked with the stand of the Communist Party of Albania and the National Liberation Front towards the old state apparatus. From the very first days of occupation this landlord-bourgeois

\* Enver Hoxha, *Works*, vol. 1, p. 439, Alb. ed.

apparatus was placed at the service of the occupiers. The old anti-popular and pro-fascist regime of Zog relied on a relatively powerful state apparatus which drained the greater part of the state budget. The Italian occupiers further increased the reactionary character of this state apparatus which they placed at their service and adapted to the needs of their occupation. So, the reactionary apparatus of the Albanian «national» landowning-bourgeois classes was transformed into an apparatus in the service of the fascist occupiers, although it still nominally retained its «national» form. «The former ministers of Zog,» Comrade Enver Hoxha wrote at that time, «the former diplomats, inveterate thieves and degenerate people like Fejzi Alizoti and Co., turned into fascists of the first hour... The April Assembly which presented the crown of Albania to the King of Italy was composed of Zog's men and later traitors, the chiefs and exponents of Balli Kombëtar and other traitor organizations. The men of the former Legaliteti begin to move in the new regime... These traitors occupy high posts; one is made minister of the 'Fascist Party', another... minister of finance, another police chief, another general of the army...»

It is obvious that such an apparatus built to suppress the working masses adapted to the conditions of the German occupation to ensure the subjugation of the Albanian people to the new nazi occupiers could not but be destroyed by the National Liberation Movement.

That is why the national liberation councils in the liberated zones were set up on the ruins of the state apparatus of the state of the occupier and the exploiting classes which was being destroyed by the National Liberation War of the people. In this way, in the concrete conditions of the National Liberation War the Communist Party of Albania was operating in conformity with the teachings of Marxism-Leninism that the true liberation of the working people cannot be achieved

\* Enver Hoxha, *Works*, vol. 2, pp. 388-389, Alb. ed.



without destroying at the same time the old state apparatus, that the duty of every truly people's revolution is to destroy the old state apparatus. This aim of our National Liberation War was reflected in the decision of the Conference of Labinot on the liquidation of all the old state apparatus.

Distorting the Marxist-Leninist doctrine on the socialist revolution and the dictatorship of the proletariat, the various opportunists go all out to prove that the working class should not seize state power in a revolutionary way, that it should leave the old bourgeois state apparatus intact, because this apparatus can be adapted to the political rule of the working class. These theses were further elaborated at the 20th Congress of the Communist Party of the Soviet Union. The modern revisionists try to prove the anti-Marxist thesis that the premises of socialism are created in the capitalist state itself through the working class exerting ceaseless pressure on the bourgeois state apparatus and winning a decisive influence on its development.

Karl Marx stresses the need for the destruction of the bourgeois state machine not on the basis of abstract political reasoning, but on the basis of the analysis of the revolutionary events of 1848-1851 and 1871.

On April 12, 1871 Marx wrote to Kugelmann: "... If you have a look at the last chapter of my work *18 Brumaire* you will see that as an attempt at a future French revolution I proclaim: that the bureaucratic and military machine should not change hands as has happened up to now, but be destroyed, and this is the preliminary condition for any truly popular revolution on the continent.\*"

By «a truly popular» revolution Marx of course did not mean an ordinary bourgeois-democratic revolution, but neither did he confine this preliminary condition to the socialist revolution. In fact, he meant a broad

\* K. Marx and F. Engels, *Selected Works*, vol. 2, 1958, pp. 440, 464, Alb. ed.

popular revolution, a revolution which from a democratic revolution grew gradually and constantly into a socialist revolution.

While in the *Communist Manifesto* of 1848 Marx dwelt on the utter necessity of the seizure of power and the state apparatus by the proletariat without yet mentioning the need for the destruction of the old state apparatus and the building of a new apparatus, in the last preface to the *Communist Manifesto*, signed by Marx and Engels on June 24, 1872, that is, after the Paris Commune, he says: «The Paris Commune showed in particular that the working class cannot take into its hands the old state machine intact and put it into operation for its own ends.»\*

In the new conditions of the epoch of imperialism, Lenin also proved that the smashing of the bourgeois state machine, which the proletariat cannot use for its own ends, is an inevitable law.

The smashing of the old state machine means:

- a) proclamation of the unlawful character and dissolution of all the old state and administration organs;
- b) divestment of these organs of all effective power, by arresting their heads, disarmig and disbanding their armed forces;
- c) dissolution of all the old juridical institutions;
- d) annulment of all juridical norms sanctioning the existence of the state, administrative and judicial organs which were liquidated by the revolution, depriving the former functionaries of their privileges, titles, functions, posts and other attributes of power.

These teachings of Marxism-Leninism and the experience of the Great October Socialist Revolution showed our Party the need for destroying the old state from the foundations and building in its place a new state apparatus, with a new content and form, the people's democratic state, with a new state apparatus.

A new state apparatus meant:

\* K. Marks and F. Engels, *Selected Works*, vol. 1, 1958, p. 14, Alb. ed.



a) establishment of the state of the workers and peasants represented by the national liberation councils, as a plenipotentiary and sovereign body;

b) transformation of the national liberation councils into plenipotentiary organs of the state power in the whole territory of Albania, concentrating all effective power into their hands, as sole organs of the rule of the working class and the peasantry;

c) strengthening and reorganization of the armed forces of the people's revolution (brigades, divisions and other partisan units);

d) setting up of revolutionary organs for the suppression of the counter-revolution, which would try to overthrow the new state power and obstruct its measures. Such organs were the Defence the People (later the State Security);

e) setting up and development of a state apparatus for the management of all branches of state affairs, setting up of a system of central administration with the respective apparatus with its branches all over the country;

f) creation of a new system of juridical institutions to enforce the new revolutionary legislation all over the country.

The new state apparatus set up in our country by the people's revolution was distinguished from the anti-popular old state apparatus in:

a) the tasks it was charged with;

b) its political organization;

c) its structure, the organs and institutions it was made of;

d) its social composition and the political and moral features of its cadres.

The people's power in Albania which was created in conformity with the principles of Marxism-Leninism in the conditions of our country -was not a drafting on or a combination with the old state power of the bourgeoisie; it was a new state, built after the model of the Soviets. The power of the bourgeoisie was destroyed

from its foundations by the war of the Albanian people.\*

The Communist Party of Albania has waged a resolute struggle for the state power to pass completely into the hands of the working masses and under no circumstances allowed it to be shared with the old ruling classes which sought to retain their rule intact in various forms. Contrary to the claims of the Yugoslav revisionists who have attributed to our Party and its leadership during the National Liberation War the tendency to make compromises with Balli Kombëtar and to share power with this traitor organization, the history of the National Liberation Movement reflects the resolute struggle of principle of the Party to expose and foil the plans of reaction for the creation of a state of its own for the period after the war within or outside Albania. The Conference of Labinot approved the stand of the Party which immediately condemned the Mukje<sup>1</sup> compromise which ignored the National Liberation War, the victories achieved by it and placed Balli Kombëtar on a par with the National Liberation Front, thereby accepting the sharing of power with this traitor organization that had placed itself openly in the service of the occupiers. At a time when the National Liberation Front was mobilizing the broad masses of the people in struggle against fascism and its state apparatus in Albania, at Mukje the chiefs of Balli Kombëtar insisted that the decision of the so-called Assembly, which on April 12, 1939 had «offered» the crown of Albania to Victor Emmanuel III, should be annulled and only then the independence of Albania proclaimed. Among other things, to accept this thesis would mean to give a legal character

\* Enver Hoxha, *Works*, vol. 8, p. 429, Alb. ed.

<sup>1</sup> On August 1-2, 1943, in Mukje, a village in the vicinity of Kruja, a delegation of the National Liberation Front in the composition of which were Ymer Dishnica, Mustafa Gjinishi and Abaz Kupi, made a compromise with the Balli Kombëtar contrary to the instruction and mandate the leadership of the Communist Party and the National Liberation Front had given this delegation.



to the fascist occupation, to recognize the decision of an «Assembly», which represented nobody and which included only traitors and foreign agents, with many chiefs of Balli Kombëtar among them. Comrade Enver Hoxha wrote in those days: «We have neither accepted the existence of the April 12 Assembly nor recognized it. The people have neither accepted nor recognized it, either. Together with the people we have fought it. Let those gentlemen who have recognized it withdraw their recognition at conferences, in newspapers or letters if it pleases them.»<sup>\*</sup> Condemning the capitulation at Mukje, the leadership of the Party stressed: «The national liberation councils are the organs of a state power emerged from among the people and their war, and elected in a democratic way by them, and this people's democratic government should be recognized by all.»<sup>1</sup>

Unhesitatingly condemning the Mukje agreement, the Central Committee of the Party and Comrade Enver Hoxha personally saved the National Liberation Movement and the Albanian people from a very great danger, a danger which becomes clearer if we see what happened in those countries where the National Liberation Movement was subject to the pressure of internal reaction and the Anglo-American imperialists. Acceptance of the treacherous Mukje agreement would have had for our people the same consequences as those of the Lebanon agreement for the Greek people and their National Liberation Movement.

Faced with the efforts of Balli Kombëtar and the entire internal reaction and the danger of an eventual intervention by the Anglo-Americans in Albania, in his September 9, 1943 letter of directives to the regional party committees, on behalf of the Central Committee of the Party Comrade Enver Hoxha emphasized the

<sup>\*</sup> Enver Hoxha, *Works*, vol. 1, p. 422, 2nd Alb. ed.

<sup>1</sup> *Principal Documents of the PLA*, vol. 1, Tirana 1971, p. 187, Alb. ed.

necessity for the national liberation councils to present themselves as the sole administration of the Albanian people in case of such a landing. «The allies and their armies,» this document said, «should be in Albania only for the purpose of defeating the nazi Germany and its stooges, while the government of Albania should be left entirely in the hands of the National Liberation Movement.»<sup>\*</sup>

This directive is stressed again forcefully in the letter of the CC of the CPA dated October 1, 1943 and signed likewise by «Shpati» (pseudonym of Comrade Enver Hoxha. Translator's note). It says: «*The question of state power is of primary importance*» (underlined in the original). There should be no ambiguity on this problem; besides the power of the national liberation councils no other power should exist, there can be no compromise and dualism on this question.»<sup>\*\*</sup>

Meanwhile, as a true Marxist-Leninist party, the CPA was well aware that the ruling classes never give up their power of their free will. Hence, through political work only, without resolute revolutionary actions it is impossible for the working class to seize power into its hands. In the October 1, 1943 letter of the CC of the CPA to the regional party committee of Gjirokastra it is said: «... we must seize power by force of arms, we must rid the country of the hoodlums and establish order and peace. We must immediately set up the power of the national liberation councils and defend it at all costs. We must not be content with political work alone, but accompany it with energetic military actions so that there is no state power apart from ours.»<sup>1</sup> (underlined in the original).

The entire practice of our Party in seizing power, destroying the old state apparatus and creating the people's democratic state is in complete conformity with the teachings of Marxism-Leninism.

<sup>\*</sup> Enver Hoxha, *Works*, vol. 1, p. 477, 2nd Alb. ed.

<sup>\*\*</sup> Ibidem, pp. 539-540.

<sup>1</sup> *Principal Documents of the PLA*, vol. 1, Tirana 1971, pp. 20-211, Alb. ed.



### CHAPTER THREE

#### FOUNDING OF THE ALBANIAN PEOPLE'S DEMOCRATIC STATE

1. The Party and the National Liberation Front took concrete measures to carry out the decisions of the 2nd National Liberation Conference. Liberation of a number of cities like Gjirokastra, Kruja, etc., by the partisan forces immediately after the capitulation of Italy put the organs of the new revolutionary state power to a severe test. Although temporary, a situation was created, in which these organs could not content themselves with the tasks they had been carrying out until then, but had to exercise the government functions in the liberated areas and towns. The directives issued by the Party stressed that the national liberation councils were now the broadest and most appropriate form of government. In the liberated areas, especially in the towns, the national liberation councils went beyond gathering aid and supplies for the National Liberation Army. Now they governed the life of towns and whole districts. The councils should not be formal or sectarian but genuine organs of government, according to the Constitution endorsed by the Conference of Labinot. The councils should have their sections of internal affairs, education, civil engineering, finance, health service and propaganda. Every section chief should activate other persons who had taken part in the National Liberation War

or honest officials who had not collaborated with the occupiers. The Party instructed especially that there should be no dualism on the question of state power, that no other power apart from that of the national liberation councils should be tolerated, that gendarmes of the old regime should no longer be allowed to patrol the streets of liberated areas but volunteers dependent on district commands should be charged with keeping law and order. The Standing Committee of the General National Liberation Council made an important contribution to the implementation of these objectives as it played the role of a genuine government and took measures for the organization of the work by the national liberation councils in the field of economy and finance, the health service, education, etc. In this way was implemented the directive of the Party that "... the people should see from our rapid and sound organization who really defends their interests. We must in no way create confusion and give the impression that we do not know how to govern. The Party should prove to be able to organize the administration of the country as it was able to organize the war.\*"

These instructions of the Central Committee of the Party were implemented in all the liberated areas. It may be said that this period was a general test of what would happen a year later in the Autumn of 1944 when various districts were one after the other liberated by the National Liberation Army and the new people's power was established there once and for all.

2. At the Conference of Peza, the national liberation councils emerged as the nuclei of the future organs of the administration of the state, as well as of the war. After the Conference of Labinot at which they were proclaimed the only people's power, their sphere of activity and the importance of the tasks they performed as organs of the state increased further. The further development of the National Liberation War, the exen-

\* Enver Hoxha, Works, vol. 1, p. 492, 2nd Alb. ed.



sion of the liberated areas and the near prospect of the complete liberation of Albania laid before the 1st National Liberation Congress the task of building a new Albania, of creating the new Albanian people's democratic state.

This task became the more important and urgent as the reactionary forces within and outside the country were concocting all sorts of intrigues to retain their power. As long as Hitlerite Germany and fascist Italy continued to have strong positions in our country the local exploiting classes enjoyed support in their armies to maintain their privileged positions, to retain their rule to the detriment of the working masses. However, with the beginning of the decline of Axis powers, the landowners and the bourgeoisie were greatly alarmed as the disappearance of the foreign occupation would leave them disarmed in front of the National Liberation Movement, in front of the emerging people's state power. Hence, the attempts of the chiefs of Balli Kombëtar as early as the time of Eqerem Libohova's, and later, Maliq Bushati's quisling government, in particular, at creating an «Albanian» army and an «Albanian» gendarmerie, which allegedly would defend the borders of the Homeland from the «greed of the chauvinist neighbours» in case of a fascist defeat, but which, in fact, were only intended to be used as means to suppress the people's revolution. These attempts of Balli Kombëtar found their first expression in the Dalmazzo-Këlcyrë protocol signed on March 5, 1943. This was an agreement signed by the Commander of the Italian military forces in Albania, General Dalmazzo, and Ali Këlcyrë, one of the heads of Balli Kombëtar, in which this traitor organization pledged to establish order throughout the Albanian territory, whereas the fascist occupiers would secure the creation of the «Albanian» armed forces, which would serve as a support for Balli Kombëtar against the Communist Party and the National Liberation Movement.

After the capitulation of Italy and the coming to Albania of the new German occupiers, local reaction

stepped up its efforts in this direction, by playing the card of Legaliteti. This traitor organization which was set up on the initiative of the British imperialists and enjoyed complete freedom of activity by the German occupiers, demanded the re-establishment of the regime of capital and Zog in Albania.

In November of 1943 the «Congress» of Legaliteti, with the participation of Abaz Kupi and other Zogite chiefs, as well as a representative of the British military missions, was held at Zall Herr near Tirana. The Zogites wanted to give their organization more the appearance of a broad legitimist movement than that of a political party and called for the recognition of the continuity of Zog's regime. According to the decisions of this «Congress» Zog had not abdicated, therefore, his regime was the legal one and continued to exist. Legaliteti proclaimed that:

«1) On the basis of the Constitution, the legal regime of Albania is that established on September 1, 1928; 2) this regime was not abrogated as, under international law, military occupation by an aggressor cannot annul a decision of this kind even under the pressure of the bayonets of the blackshirts of Mussolini; 3) consequently, Albania has its legal regime in the Parliamentary Democratic Kingdom with Zog as its king.»<sup>1</sup>

In order to back up these claims and to disorientate public opinion, the Zogite agents spread the lie that the «King» had his representatives accredited to London, Washington, etc., and that representatives of foreign states were accredited to the «King».<sup>2</sup>

The juridical sophism of Legaliteti and of Atdheu could not cover up the reality, that is, that Zog had not come to power in a legal way but with the assistance of foreign reaction, that his regime was synonymous of corruption and national betrayal and paved the way for the Italian fascist occupation, that by betraying and abandoning his country at a decisive moment of its history

1 *Atdheu*, nr. 4, 1943.

2 *Ibidem*, no. 3, 1943.



Zog had forfeited any juridical and moral right to his throne, that the April 12, 1939 traitor Assembly was made up of a considerable number of his own men, that the fugitive king did not enjoy official recognition abroad. Most important of all was that the revolutionary development of events in Albania had barred the way to the return of the hateful king and his despicable regime.

Despite this, the manoeuvres of the reactionary forces rallied in Legaliteti found support in the quisling government and Balli Kombëtar which eventually agreed to play the card of Zog as a last resort. These efforts were co-ordinated with those of reactionary emigrants to set up an Albanian government in exile headed by Ahmet Zog.

When after his wanderings in Greece, Turkey and France, Zog found refuge in Great Britain, the British government, which did not want to spoil its relations with Italy, made it clear to him that they no longer recognized him as king of Albania and he, on his part, promised not to meddle in politics.<sup>1</sup> This stand of the British government, which was the logical consequence of its recognition in October 1939 of the Italian occupation of Albania, did not change in essence even after Italy declared war on Great Britain and France on June 10, 1940. So, Zog did not enjoy the same privileges as the heads of states or even diplomats. Nevertheless, the Foreign Office charged the former minister of Great Britain to Tirana, Ryan, to keep in touch with Zog and convey his demands to the official organs.

In the autumn of 1940 functionaries of the Foreign Office rejected the idea of asking Zog to support an anti-Italian committee which might eventually be formed by the Albanians in Turkey. The reasons which impelled the British to treat Zog in this way were many: first, Zog was considered a very discredited person, second, the British did by no means want to be involved in questions bearing on the future of Albania, which would

1 Public Record Office, F.O. 371/37110, July 15, 1942.

to a certain extent be the case if Zog was asked to intervene.<sup>1</sup> At that time the British diplomacy had reached the conclusion that after the war Albania could not stand on its own, that the best solution would be to leave it under Italian rule so that the latter became a counterweight to Germany, the more so if a non-fascist regime was established in Italy after the war.<sup>2</sup> After the Italian fascist aggression against Greece, another reason which made the British government hesitate about committing itself to Zog was that it did not want to aggravate matters with Greece «which is likely to demand to keep Albania for itself»,<sup>3</sup> because the idea of the recognition of some Albanian committee or, more so, a government in exile would mean a pledge to restore Albania's independence. In other words, the British imperialists still considered Albania as a token for barter in an eventual bargaining about a separate peace with Italy, or a market commodity to compensate the Greek chauvinists.

In the autumn of 1941 Ahmet Zog began putting forward his claims. In a «note» addressed to the governments of the allied powers in September of that year, the «King of Albania» insisted that, like the other countries occupied by the fascist powers, although in exile, Albania had its constitutional organs formed by the Albanian people and that «the constitutional distortions» made by Italy could not change the former juridical situation.<sup>4</sup> At that time the British tactfully rejected Zog's demands with the specious argument that Albania would not be given the same status as other occupied countries with governments in exile, because Albania had been occupied prior to the outbreak of the Second World War.<sup>5</sup>

Zog's claims were co-ordinated with the activity

1 Public Record Office, FO. 371/24886, Sep. 18, 1940.

2 Ibidem, FO. 371/24867.

3 Ibidem.

4 Ibidem, F.O. 8687/111/90.

5 Ibidem, FO. 371/29709.



of Faik Konica<sup>1</sup> in America. He became more insistent in the spring of 1942. He was supported by some British personalities like the Labourite Noël Becker. General Percy, ex-instructor of Zog's gendarmerie, who had formed a «Balkan Committee», and proceeding from the thesis that allegedly «Zog was de jure and de facto the King of the independent Albanian state», was for the formation of an Albanian government in exile.<sup>2</sup>

The activities of Zog and other Albanian exiles in Great Britain and the United States of America were intensified, especially, in December 1942 after the governments of the Soviet Union, Great Britain and the United States of America (regardless of major differences in the formulation of the respective statements) pledged their assistance in re-establishing the independence of Albania after the war.<sup>3</sup> However, there was no unity of opinions among the emigrants. On the other hand, a group of exiles, headed by Tajar Zavalani, under the influence of the Foreign Office, were for the creation of an «Albanian National Committee» with the participation both of Zog and his «opponents». Of course, Zog was against this project, because the setting up of such a committee would come into opposition with the «rights and the status of the Albanian people based on the legality and continuity of the Albanian state recognized by the whole world until April 7, 1939.<sup>4</sup>

So, Zog was for the formation of a government in

1 Albanian ambassador to the USA until the Italian fascist occupation of the country.

2 Ibidem, FO, 371/33109.

3 It should be noted that, unlike the Soviet Union, while being for the independence of Albania, Great Britain and the USA questioned Albania's pre-war frontiers, that is, they put under discussion the territorial integrity of Albania in the interests of Greek and Yugoslav reaction.

4 Public Record Office, F.O. 371/371-37 (with a copy of the letter of Sotir Martini with Zog's suggestions about Tajar Zavalani's proposals).

exile with himself being recognized as a king, advocating that «only recognition of this government by the allies would de facto and de jure ensure Albania's independence and territorial integrity, at least within its borders prior to April 7, 1939.»<sup>1</sup> In this way, through the expression of his «concern» about the fate of Albania, he was concocting new plots to impose his regime upon the Albanian people with the aid of the imperialist powers.

Zog and his circle were of the opinion that Fan Noli<sup>2</sup> should be placed at the head of this government. In April 1943, the latter refused the offer to chair an Albanian government in exile. However, he accepted to adhere to a joint front of Albanian emigrants under the leadership of Zog but only in the quality of an adviser.<sup>3</sup> Fan Noli was not well informed about the situation in Albania, the development of the National Liberation Movement and its political platform, so he accepted a solution which, as he put it in a letter at the beginning of 1943, «would be a far lesser evil till the convening of a peace conference».<sup>4</sup> Realizing the danger hidden behind the reservations expressed in the statements of Great Britain and the United States in December 1942 about the future borders of Albania, Fan Noli was concerned about the fate of the Homeland, also, because of the possibility of a compromise between the governments of Great Britain and America and Italy. So, based only on formal juridical considerations as well as on events which, in the final analysis, had no significance

1 Public Record Office, F.O. 371/371-37 (with a copy of the letter of Sotir Martini with Zog's suggestions about Tajar Zavalani's proposals).

2 Fan Noli was one of the leaders of the bourgeois-democratic revolution in Albania in 1924 and the head of the government which emerged from this revolution. After the triumph of the counter-revolution headed by Ahmet Zog, he left Albania and emigrated to different European countries and finally to the United States of America.

3 Public Record Office F.O. 371/371-37.

4 F.O. 371/371-36.



for the imperialist powers if they ran counter to their concrete political schemes, Fan Noli thought that recognition of the continuity of the regime existing prior to April 7, 1939 could be a means to ensure both the independence of Albania and the defence of its pre-war borders. That Fan Noli nourished no illusions about Zog as a person and his true aims is shown by the fact that, as he told an acquaintance of his, he thought that «Zog would be necessary only until the holding of the Peace Conference. Then, we would tell him: now that we have finished with you, you may go to the devil.»<sup>1</sup> Despite Fan Noli's genuine concern about the future of Albania, the naive illusions which characterized him as a statesman in 1924 reflected themselves in his unwarranted belief in a spontaneous positive evolution of events, in his underrating of the strength of his adversaries, particularly in the case of an inveterate plotter like Ahmet Zog who would not easily give away power after he had seized it.

However, significant is the fact that both the patriotic and progressive elements among the Albanian emigres and the reactionary career-seekers who, under the semblance of being concerned about the fate of Albania, looked only after their interests and hoped to occupy commanding positions in a post-war Albanian state, concentrated all their attention on the creation of a «representative organ» in exile, be it a government or a committee. It never crossed their minds that the Albanian people themselves, those forces who were fighting arms in hand against fascism, would eventually have the last word.

However, despite the insistence of Zog and his supporters, the British government disregarded them. A document of the Foreign Office of February 1943 categorically discards the idea of an eventual recognition of Zog as a king or of a government headed by him. «From what information we have about what people in Albania think of Zog... he is held in little esteem there.» Apart from this, the British were always of the

<sup>1</sup> F.O. 371/371-36.

opinion that recognition of an Albanian government would worsen their relations with Greece. The Americans had the same opinion as the British.<sup>1</sup>

During the year 1944, too, the British remained refractory to the idea of recognition of Zog and an Albanian government in exile. Despite this, influenced by a memorandum presented in the end of 1943 by Major McLean who had stayed for several months with Abaz Kupi, as well as concerned at the rapid disintegration of Balli Kombëtar and the consolidation of the positions of the National Liberation Front, in 1944 they were more inclined to support the Zogite movement which they regarded as «the only nationalist group which might oppose the Communist National Liberation Movement». Indeed, in order to justify this change in their policy, the functionaries of the Foreign Office flattered themselves that «it seems that in Albania there are growing sentiments in favour of a King Zog's return. There would be no harm if we took these sentiments into account...» On February 6, 1944 a dispatch addressed to the British Foreign Office from Cairo read that «Abaz Kupi's movement is a movement with a military potential and probably represents the majority of the Albanian population». The evolution of the British stand towards Zog and the Zogite movement is also reflected in a marginal note of the British Foreign Minister Eden, in February 1944: «I did not imagine we would fall back on Zog.»

However, this euphoria was a flash in the pan because very quickly the British had to be convinced that the forces of Legality were less than what they were supposed to be, especially against the growth of the National Liberation Army and the strengthening of the National Liberation Front after the failure of the German operation in the winter of 1943-1944.

In the history of the attempts of reaction at setting up an Albanian government of its own, a significant fact is that everything was done outside the country.

<sup>1</sup> Public Record Office, F. O. 371/371-38.



After its attempts at creating a «Committee for the Salvation of Albania» failed at Mukje, the Albanian reaction gave up all attempts at forming within the country a «government» or, at least, a committee which would be in «opposition» to the quisling administration of Tirana. There were many obstacles in this direction. In the first place, there was no movement which could seriously claim to oppose the fascist occupiers. Moreover, despite some degree of unity in the struggle against the National Liberation Movement, the forces of reaction, with the exception of Balli Kombëtar and Legaliteti, remained split up in rival clans, different exponents of reaction like Gjon Marka Gjoni, Muharrem Bajraktari, Mustafa Kruja and others had contrasting claims and diverging plans. The German occupiers and the quisling government of Tirana, though cherishing the idea of the re-establishment of Zog's regime as a future prospect, could not accept the creation of an organism which would be opposed, no matter how formally, to themselves.

For all these reasons, irrespective of their contradictory interests, all the forces of reaction within the country supported the quisling government of Tirana, collaborating effectively with it in order to suppress the National Liberation War.

However, because of the hostile stand of the British and American imperialists towards the National Liberation Movement, the creation of a reactionary government as a rallying point for the forces of the landlords and the bourgeoisie always remained a potential danger.

Bearing in mind the hostile attitude of the British and American imperialists towards the National Liberation Movement such a possibility could not be excluded. In the Balkans the British had more direct interests which outstripped their mere military considerations. This also explains the concern to follow events in Albania on the spot, dispatching a military liaison as early as the spring of 1943. At that time the Balkans and Albania were for the Americans a more remote

zone. However, by the end of the war, conscious of its growing potential and the continuous weakening of its British ally, American imperialism began to play a more active role, showing a more direct concern about the Balkans in general and, in this context, about Albania, too. From the American documents of the Second World War it becomes clear that although not standing in the forefront as the British diplomacy, the Washington diplomacy was not indifferent to developments in Albania either<sup>1</sup>. After reaching their conclusion that it was impossible for an independent Albanian state to exist on its own, in their studies on the fate of Albania after the war, the functionaries of the State Department have come out with various projects about the restoration of an Albanian state which would be formally independent but which would have international advisers, about placing it under the international mandate of another country like the USA itself, Great Britain and even Italy and even envisaged the partition of Albania between Greece and Yugoslavia. It is worthy mentioning that these studies and projects to the detriment of the Albanian people were made after December 1942 when the American together with the Soviet and British governments had decided to re-establish Albania's independence after the War. The American functionaries maintained such a sceptical stand towards the ability of the Albanian people to govern themselves up to the complete liberation of Albania. Here the long memorandum of Harry Fultz, a notorious agent of the American secret service, addressed to the American State Department from Italy on 22 September 1944 is highly significant. Analysing the composition of the different political groups and coteries of the beys of the Central and Southern Albania, the bayraktars of Mat, Dibra and Lura, the chieftains of Mirdita, Shkodra, Dukagjin and other mountainous regions as well as the supporters of Balli Kombëtar and

<sup>1</sup> See Arben Puto, *On Some American Project About Albania On the Eve of the Ending of the Second World War*, «8 Nëntori» Publishing House, No. 7/1981, p. 168 and on.



expressing his negative opinion of them, Fultz was doubtful whether the Albanians would be able to govern their country. Fultz ignored the main and decisive factor, the Albanian people who would be the future masters of Albania and who had already taken into their hands the great cause of the liberation of the Homeland. Fultz concluded his memorandum by saying «You may expect me to say that the answer to the Albanian question is the National Liberation Front. But this I will not say.»<sup>1</sup>

However, the conclusion either Fultz or his superiors were unwilling to arrive at was set down by history, by the Albanian people themselves.

Despite their negative attitude towards the ability of the Albanians to have their completely sovereign and independent state after the war, the American functionaries were no less eager than their British colleagues in making plans for the creation of a government of «national union» which would comprise the representatives of the National Liberation Front, Balli Kombëtar, Legaliteti, etc., for the sanctioning of the existence of a quisling government also in the conditions of an eventual occupation of Albania by the Anglo-Americans.<sup>2</sup>

However, the plans of the reactionary forces within and outside the country were built on sand, because they disregarded the Albanian reality, the will of the people who were fighting not only to liberate their country from the foreign yoke but also to prevent the restoration of the past regime. This new reality, the unflinching determination of the Albanian people were clearly expressed in the historic decisions of the National Liberation Congress held on May 24, 1944 in the liberated town of Përmet, on the initiative of the Central Committee of the Communist Party of Albania.

3. A representative body democratically elected within the possibilities permitted by the war circumstan-

1 American documents of the Second World War, Department of State Division of European Affairs, Doc. 875.01 (9-2244), date 22.9.1944.

2 See Arben Puto, op. cit. and ff.

ces, the Congress took very important decisions for the further development of the National Liberation War and the people's power in Albania.

Deciding on the building of the new people's democratic Albania, the Congress elected the Anti-fascist Council as the main legislative and executive body which represented the sovereignty of the people and the Albanian state.<sup>1</sup> In its first decision at its first meeting, the newly elected Council emphasized that it «represented the sovereignty of the people and the Albanian state for the time of the National Liberation War.»<sup>2</sup>

This means that the Anti-fascist National Liberation Council had a provisional character up to the complete liberation of Albania or, more precisely, the convention of a Constituent Assembly. However, this limitation in time does not imply the provisional character of its decisions. These decisions, which expressed the will of the people in principle, had no time limitation. The Albanian state of people's democracy itself, although in the process of formation, had a definitive character, whereas its organs, beginning with the Anti-fascist National Liberation Council, were temporary, since after Liberation the people would elect other organs which, if necessary, would either amend or annul the acts promulgated by the organs acting in the wartime. Only in case of amendment or annulment, and not automatically, as a result of the expiration of time, could the acts passed by the Anti-fascist Council or other organs dependent on it during the National Liberation War be invalidated. As to its organizational structure, the Anti-fascist National Liberation Council was built in conformity with the new state system. From this stand-point it did not differ from the other national liberation councils. The Anti-fascist National Liberation Council was the continuation, on a higher level, of the General National Liberation Co-

1 Documents of the Supreme Organs of the Revolutionary National Liberation State Power, Tirana 1962, p. 157, Alb. ed.

2 Ibidem, p. 142.



uncil. At the same time, the Anti-fascist National Liberation Council was a new organ with a broader base and larger competences. It was, in the first place, the supreme organ of state power, whereas the National Liberation General Council, despite its state attributes, was above all the supreme political leadership of the National Liberation Movement.

The Congress charged the Anti-fascist National Liberation Council to form the Anti-fascist National Liberation Committee with all the attributes of a provisional people's government. The Committee, as stated in the decision of the Congress, was the organ through which the Anti-fascist National Liberation Council realized its executive functions.

At its first meeting the Anti-fascist National Liberation Council elected its Standing Committee. According to decision No. 2 of the ANLC, the Standing Committee represented the sovereignty of the Albanian people and state and exercised legislative and executive functions on behalf of the Council and rendered account to it. If we were to make a comparison between the competences of the Presidium of the People's Assembly after the promulgation of the Constitution of the PR of Albania and those of the Standing Committee of the Antifascist National Liberation Council, we would see that the competences of the latter were broader. This was comprehensible since in the conditions of the war the convening of the Council itself was more difficult. Besides the functions it exercised in the period between two sessions of the Council and on behalf of the latter, the Standing Committee exercised other functions, too, as for example the right to nominate the Anti-fascist National Liberation Committee, which it did at its first meeting.<sup>1</sup> The General Secretary of the Communist Party of Albania, Comrade Enver Hoxha, was elected Chairman of the Anti-fascist National Liberation Council.

<sup>1</sup> The decisions of the Congress gave the Anti-fascist National Liberation Council the right to form the Committee, while

The definition that the Anti-fascist National Liberation Committee had all the attributes of a provisional government meant that formally it was not a government. Its attributes as a provisional government were expressed in the fact that it was the supreme executive and legislative organ of the people's power, that it led the new state administration which was in the process of formation. It was not proclaimed a government only because of the circumstances of the time. With part of Albania being not yet liberated and the state administration still in an embryonic stage the international juridical recognition of a permanent government could not be expected. Besides, the Congress of Përmet knew that of permanent government could be created only when the whole people would be able to have their say through regular elections. The decision to let the people decide for themselves about their fate was expressed later by the Democratic Government in Berat, at the second meeting of the Anti-fascist National Liberation Council which declared that «After the complete liberation of Albania and the normalization of the situation, the Democratic Government of Albania will propose democratic elections for the Constituent Assembly, which for its part will determine the form of the state and draft the Constitution of the Albanian state.»<sup>1</sup>

This provisional character of the Anti-fascist National Liberation Committee and, later, the Democratic Government implied no limitation.

Considering the «desire and determination of the Albanian people to establish a new order as a sound guarantee for the triumph of democracy and the prevention of the restoration of Zog's regime as expressed by their delegates to the First National Liberation Con-

the Council itself passed this right on to its Standing Committee. This does not mean that at its meetings the Council had not the right to eventually alter the composition of the Committee or to form a new one.

<sup>1</sup> See *Second Meeting of the Anti-fascist National Liberation Council*, Tirana 1944, p. 44.



gress,<sup>1</sup> the Congress adopted the decision to build a new people's democratic Albania. The Congress decided to prohibit Ahmet Zog's return to Albania since the question of the state order would finally be decided upon by the Albanian people after the complete liberation of their country. The Congress of Përmet also decided that no other government that might be formed within or outside Albania, against the will of the people who were represented only by the Anti-fascist National Liberation Council, would be recognized.

Re-emphasizing the decision of the Congress to prohibit king Zog's return to Albania, the Anti-fascist National Liberation Council decided that all agreements concluded by Zog's regime with foreign states should be re-examined, and all economic and political links established by the same regime to the detriment of the Albanian people should be annulled and new ones established.

The endorsement by the Congress of the activity and the directives issued till then by the National Liberation General Council and the General Staff of the National Liberation Army had major political and juridical importance. In this manner, all the decisions of these organs prior to the creation of the Albanian people's democratic state assumed full juridical force and were considered component parts of the revolutionary law.

Without detracting from their juridical value, the decisions of the Congress of Përmet have more a political character, which is reflected also in their form. They form the basis on which, for its part, the Anti-fascist National Liberation Council took a series of other decisions of a more pronounced juridical character. So, the prohibition of Zog's return to Albania, for example, which was expressed in the decisions of the Congress, is restressed in the decision of the Anti-fascist National Liberation Council which in this way gave the proper

legal form to an act of the Congress that had more the character of a political pronouncement.

The acts of the Anti-fascist National Liberation Council were also considered decisions. In fact they had the force of laws, indeed, constitutional laws, but apparently by considering them decisions it was meant to stress their general character, not only juridical but also political.

4. With the decisions of the Congress of Përmet and the Anti-fascist National Liberation Council, which have major importance as juridical acts that laid the foundations of our Constitution, the question of state power was on a whole solved. With the creation of the Antifascist National Liberation Council, as the supreme organ of state power at the Congress of Përmet, the building of the new system of state organs was completed in general outline.

With the liberation of the country from the occupiers on 29 November 1944, the people's state power extended all over Albania but this does not mean that the new Albanian state was set up only after the triumph of the people in the National Liberation War, since the size of territory under the jurisdiction of a state does not condition the existence of the state.

It would be just as wrong to say that the new people's democratic state was created with the formation of the first national liberation councils in the liberated areas, or at least with the convening of the Conference of Peza at which the National Liberation General Council was set up. True, the first national liberation councils exercised state functions; were the negation of the old state power, and that the process of the destruction of the latter began with the formation of the national liberation councils. However, the national liberation councils did not constitute the state. They were only the nuclei of the future state. The state is in the first place a political organization, that is, a complex of organs of power with an inner unity in the framework of a particular political system. This new system of state power was not completed at the Conference of Peza, nor was it at the Conference of Labinot, although important steps

<sup>1</sup> Documents of the Supreme Organs of the Revolutionary National Liberation State Power, Tirana 1962, p. 155, Alb. ed.



were taken there in this direction. This, of course, does not detract from the great importance of the national liberation councils from the very start. This was sanctioned *a posteriori* by means of the Constitution of the PR of Albania, article 3 of which reads: «The people's councils, which emerged during the National Liberation War against fascism and reaction, are the political base of the People's Republic of Albania. . .» This is a constitutional sanctioning of the revolutionary process, an *ex tunc* sanctioning which recognizes the juridical state character of the first national liberation councils and the acts passed by them. However, despite this constitutional sanctioning, the new state power was not yet definitively formed with the creation of the national liberation councils.

The question may be asked: by linking the creation of the new Albanian state of people's democracy with the decisions of the Congress of Përmet and the Anti-fascist National Liberation Council do we eventually link the creation of the revolutionary state power with juridical norms only? It is clear that states do not emerge from juridical norms expressed in decrees issued by special organs or decisions taken by congresses or assemblies. This is the more true in the case of our people's power which emerged from the barrel of the gun. However, juridical decisions or acts sanction that revolutionary situation which makes their promulgation necessary. Hence, the decisions of the Congress of Përmet cannot be considered separately from the previous revolutionary situation, from all the quantitative and qualitative changes in the National Liberation War which led to the holding of the Congress itself. It would be a formal juridical stand to give the decisions of the Congress absolute significance, independently and out of the context of the revolutionary National Liberation War the Albanian people had been waging. However the great historical importance of the decisions which crowned with success the attempts of the Albanian people at setting up their people's power, comes out more clearly

precisely in the context of this war. That is why these state-building juridical acts are revolutionary acts which mark a revolutionary change in the struggle for power. Based on the changes made up till then in state relations these acts represent a qualitative leap by means of which society establishes a new state system, and new state relations. The Congress of Përmet was a decisive turning point towards the establishment of the system of the people's power. Its decisions were the result of the linking of the national liberation uprising with the process of the people's revolution. This linking was not accidental but determined by the strategy of the Communist Party of Albania. The decisions of the Congress of Përmet and the Anti-fascist National Liberation Council showed that our newly formed people's democratic state was a new state, of a higher type, both in content and form.

In content, it was not simply a democratic dictatorship of the revolutionary forces but a state based on the embryo of the dictatorship of the proletariat, because it expressed the hegemony of the working class through the Communist Party, the only Party in power. The decisions of the Congress of Përmet and the Anti-fascist National Liberation Council sanctioned the overthrow of the political power of the landlords and the bourgeoisie and the establishment of the political power of the working people, thereby fulfilling a task which in fact had a socialist character and which was carried out parallel with the general anti-imperialist and democratic tasks of the National Liberation War, as the first stage of the revolution in Albania.<sup>1</sup>

Based on the principle of the indivisibility of power, the new people's democratic state differed completely in form from the state of the bourgeoisie. The principle of the indivisibility of power, which was expressed in the concentration of legislative and executive competences in

<sup>1</sup> The question of the character of the people's power is dealt with in more detail below.



the supreme organ of power, the Anti-fascist National Liberation Council and its Standing Committee, stemmed from the principle of people's sovereignty, the bearer of which was the Anti-fascist National Liberation Council. In this manner the Congress of Përmet discarded the bourgeois principle of the division of powers, which is expressed in the restriction of the sphere of competences of the representative organs, already refuted by revolutionary democracy.<sup>1</sup>

In this question the revolutionary state power in Albania followed the experience of the Paris Commune and the Soviets, because our national liberation councils, from the councils at the grass-roots to the Anti-fascist National Liberation Council, were not only representative but also executive organs.

The form of government which determines the character of the higher state organs is a very important element in the notion of the form of the state. The question arises: what form of government, no matter how provisional had the new Albanian state? There are various views in the juridical and historical literature about this question. One view is that although the Congress of Përmet abolished the monarchy *de facto*, this continued to exist *de jure* until January 11, 1946 when Albania was proclaimed a People's Republic.<sup>2</sup> According

1 The Jacobin Constitution of 1793 rejected the concept of the division of powers formulated by Montesquieu and replaced it with the concept of Rousseau who analysed the principle of «unity of actions» in this way: «Legislative power contains two inseparable functions: to make laws and to ensure their implementation, that is, to exercise control over the executive power, without this any link, any dependence between these two functions of the state is wiped out, the latter would no longer depend on the former.» (See Marcel Prelot, *Précis de droit constitutionnel*, Paris, 1955, p. 92).

2 Dhimo Dhima, *Constitutional Law in the PR of Albania*, Tirana 1963, p. 87, Alb. ed.

to another view, the Congress of Përmet sanctioned the end of the monarchy also *de jure*.<sup>1</sup> In our opinion the latter view is better grounded.

In continuation of the very wise tactic of our Party on the very delicate problem of the form of government which might create confusion and hesitation in particular groups and strata, the Congress of Përmet did not expressly liquidate the monarchy, nor did it proclaim the Republic. This does not mean that it did not maintain a definite stand towards the future form of government. On the contrary, it categorically denounced the Zogite monarchy, demanding that «it should be made impossible for it to be restored». There is no doubt about the Zogite monarchy being liquidated *de facto*, indeed it was not liquidated at the Congress of Përmet, but at the very moment the Zogite clique took to its heels betraying the country and leaving it defenceless in the face of fascist aggression. Therefore, the denunciation of monarchy by the Congress of Përmet, which expressed the will of the Albanian people, was more than a *de facto* liquidation of the monarchy. Hence, although the Congress and the Anti-fascist National Liberation Council did not overthrow monarchy *de facto*, leaving the form of government for the people to decide definitively after Liberation, still we cannot say that it kept monarchy *de jure*.

The very creation of the Albanian state of people's democracy, which had a final character, irrespective of the concrete form it would assume in the future, excluded monarchy as a form of government. It was out of question that a state which emerged from a revolutionary struggle and which was in essence a dictatorship of the proletariat should have the monarchy as a form of government, be it only formally, *de jure*. The monarchy was buried once and for all by the Congress of Përmet, although its liquidation was not made public at that

1 G. Hysi, *The Setting Up of the New State Apparatus during the N.L.W.* in «Historical Studies», No. 1/1970, p. 74, Alb. ed.



time, but only after the decision of the Constitutional Assembly of January 11, 1946. It might seem an excessive moderation on the part of the Congress that it did not pronounce itself openly for the abrogation of the monarchy; in the final analysis this was a second-rate problem because it had to do only with the form of the state, at a time when the Congress had solved the fundamental problem, the essence of this state. However, this decision cannot be taken isolated from the circumstances of the time, out of the context of the National Liberation War, the relations with the allies, the desire to abide by the principle proclaimed in the official declarations of the anti-fascist coalition that the peoples themselves would eventually decide their fate after their liberation from the fascist yoke. This decision was linked with the tactic of the Party which had declared from the outset that the question of the form of the state would be resolved after the war, and it abided consistently by this decision.

Hence, the decision of the Congress and the Anti-fascist National Liberation Council regarding the denunciation of the Zogite monarchy was definitive and clear-cut in essence, while at the same time taking due account of the internal and external circumstances.

If we accept that monarchy was preserved neither *de facto* nor *de jure* then arises the question of the form of government of the new Albanian state from the Congress of Përmet to the proclamation of the People's Republic of Albania. Naturally there is no state without a definite form of government, without a leadership, collegial or monocratic, elected or hereditary and, consequently, we may say that the Albanian state, too, had its form.

As to its form of government *in fact* the Albanian state was a republic, although this was not expressly sanctioned in any act of the state power. In our opinion this is clear from the existence at the head of the Albanian state, of the Anti-fascist National Liberation Council which was represented by its Chairmanship in

the period between its two sessions. These organs exercised the supreme state power in a collegial form. The Standing Committee of the Anti-fascist National Liberation Council effectively exercised the functions of the head of state, functions which later, on the basis of the Constitution of the People's Republic of Albania, were conferred to the Presidium of the People's Assembly.

The problem of the form of government was finally definitively and completely resolved in the proper juridical form by the Constitutional Assembly which thereby sanctioned a situation that had existed since the beginning of the war.

The People's Democratic State set up on the basis of the decisions of the Congress of Përmet and the Anti-fascist National Liberation Council was a new state from the standpoint of its class content and its role as a political organization of a particular class. From this standpoint, the new state had nothing in common with the former independent Albanian state, it was not its continuation but the result of the revolutionary destruction of the old apparatus which was used by the occupiers, too. However, from the standpoint of international law, as the representative of the Albanian nation in international relations, the state of people's democracy was the continuation of the former independent Albanian state. Obviously it was not obliged to accept all international juridical obligations of the former Albanian state as valid (the more so as it was known that many of these obligations had been forced upon Albania as a result of its dependence on foreign imperialism), but neither could it *a priori* disavow all agreements of an international character entered into by the former Albanian state. This can be clearly seen in the formulation of the decision of the Anti-fascist National Liberation Council which did not repudiate all Zog's agreements with the foreign states, but decided on their revision with the eventual cancellation of those agreements which were to the detriment of the Albanian state.

Thus after the interval of the foreign occupation,



the Albanian state began its independent life in the international relations with the borders and other prerogatives recognized by national treaties. However the international position of the new Albania differed from that of the former Albania. The heroic struggle of the Albanian people not only ensured their country its full independence and sovereignty, which it had never enjoyed in the past, but also won it friends and new allies among the progressive forces and states, as well as a great authority as a member of the anti-fascist coalition of the peoples which had triumphed over fascism.

5. The setting up of any new state in the process of revolutionary struggle is closely linked with the problem of state sovereignty as a political and juridical expression of the full powers of the new class which creates this state and which is opposed to the dictatorship of the old class.

Does the newly created state enjoy sovereignty? On what basis does it win this sovereignty? When does this sovereignty begin?

Of course, the question of sovereignty arises also in regard to the emergence of the people's power in Albania and it can be solved only on the basis of the Marxist-Leninist theory of the state and the law as against the formal juridical treatment of this problem by bourgeois science.

Sovereignty is an expression of the full powers of a state on its own territory and its independence from other states, it is the political and juridical expression of the full powers of the ruling class, of its dictatorship.

Contrary to that, several bourgeois authors consider sovereignty as a mere juridical category. Thus, the well-known Austrian jurist Hans Kelson accepts the existence of sovereignty only on a juridical basis, excluding the possibility of actual sovereignty. According to the formal logical concept of bourgeois jurists, the sovereignty of a state is founded on positive law, because only a state which acts on «the basis of law» can be called sovereign. For its part positive law implies sovereignty as an indis-

pensable condition for its existence because only norms based on the existence of the sovereign state and stemming from it can be considered just. Thus the bourgeois juridical science enters a blind ally by separating the state and the law from their social and class function.

The state creates the law and not vice versa.

The setting up of a state organ which establishes a definite system of law, as was the case with the Anti-fascist National Liberation Council, has no juridical character. The rule of a class is the true and real base of the state, the law and sovereignty. The supreme law is the right of a new class to state power, which is conditioned by the demands of social development and which may run counter to the law in force. Therefore, the concept of sovereignty cannot be considered as a mere juridical concept and cannot be limited to the rights of a state on the basis of its laws.

In normal circumstances (from the standpoint of the interests of the ruling class), that is, in the conditions when the sovereignty of the ruling class is realized without obstacles or threats from abroad, it is presumed that the acts of state organs have a constitutional or legal basis.

However, as Marxist literature points out, sovereignty finds its expression also when normal state life is interrupted, for example, when a new revolutionary class takes over the state, which is «unlawful» from the standpoint of the former ruling class. In its time, even the bourgeois classical juridical science had accepted the right of the people to rise against a despotic government and this right to rise against a despotic government, that is, to a revolution in the interests of the bourgeoisie was a right to «sovereignty». This was juridically sanctioned also in the American Declaration of Independence and the Jacobin Constitution of 1793 in France.

So the right to sovereignty of a new class, could be counterposed to the existing political and juridical sovereignty. The Marxist-literature stresses that this right is still a moral-political, not a juridical one, since it is



not yet sanctioned by law and it cannot be sanctioned without being realized. This moral-political right or demand comes into opposition with the existing juridical order, while its legitimate character is determined by the laws of the development of society itself. So during the people's revolution the working masses of Albania opposed their right to sovereignty to the existing order and established it in the form of state that was sanctioned by the Congress of Përmet. In this way this moral-political right of the working masses of our country assumed a juridical character in the process of the revolution, as a result of which «the new state gives birth to a new legislation, a new order which is a revolutionary one.»\*

On the other hand, as has been previously pointed out, it should be borne in mind that a country occupied by a foreign occupier like Albania was, could not have sovereignty despite the juridical form by which this colonialist annexation was covered.

In order to judge if sovereignty exists or not we must consider the reality not the terminology used in an international agreement or in a Constitution. Proceeding from this premise, juridical science says that when the territory of a state is occupied by an enemy this state ceases to be sovereign, even in the case when its government in exile continues to be recognized by other states. This recognition has in essence only a negative meaning, that is, it is a form of non recognition of the occupation and proceeds from the tacit presumption that the question is only about a temporary interruption in the realization of sovereignty which continues to exist as potential sovereignty.

As regards Albania, it not only ceased to exist as a sovereign state from 7 April, 1939, but together with it, Zog's government, which paved the way for fascism, formally ceased to exist as well. Even those states which did not recognize Albania's occupation by Italy no longer

\* J. V. Stalin, *Questions of Leninism*, p. 611, 10th Russian edition.

recognized the government existing prior to April 7, 1939 as a sovereign government.

The National Liberation War brought about major social and political changes in Albania and the other occupied countries. New social forces came out in the historical arena and established their hegemony, while the former ruling classes disgraced themselves by collaborating with the occupiers. During the National Liberation War new organs which represented the new social forces were set up and they sanctioned their right to sovereignty and became the bearers of political sovereignty.

Here it is worth analysing the view that the Provisional National Liberation General Council set up at the Conference of Peza was as early as that time the bearer of state sovereignty although on a limited scale.<sup>1</sup> There exists in juridical science the opinion that a national committee (as for example the National Liberation General Council, which did not have the attributes of a provisional government) cannot represent the state as it has no national personality.<sup>2</sup> However, this opinion is not substantiated by international practice. There are many cases in history when a nation which has expressed its desire to live independent, comes into opposition to the state which has occupied it or on which it depends. In these cases, not yet proclaiming the formation of a new state, the oppressed nation wages its struggle for independence and sets up organs which carry out state functions. Life itself makes this nation a subject of international law. The nation fighting for its independence sets up its national liberation organs which exercise state functions in the territory controlled by them. So, as the modern juridical literature has it, a «national political organization» is set up as a stage which precedes

<sup>1</sup> See Dh. Dhima, *Constitutional Law of the PR of Albania*, Tirana 1963, p. 64, Alb. ed.

<sup>2</sup> See Mohammed Bedjaoui, *La révolution algérienne et le droit*, Bruxelles 1961, p. 98.



the creation of the new state. It has already been accepted by international practice and sanctioned by juridical theory that these organs represent the nation in its relations with the external world.<sup>1</sup> In this case the nation, or in more concrete terms, the «national political organization» emerges as a bearer of rights and obligations, as subject of international law with juridical capacity of action.

Proceeding from these considerations we think that even when the new Albanian state of people's democracy was not yet created the National Liberation General Council should be considered as the bearer, though to a limited degree, of the sovereignty of the Albanian nation, not only since the Conference of Labinot which declared that it recognized no other state power apart from the national liberation councils, but since the day it was founded, that is, since the Conference of Peza, because since that time it should be considered as a forum which expressed and represented the interests and aspirations of the Albanian people. The vacuum which was created in the sovereignty of Albania with its occupation by fascist Italy on April 7, 1939 and the liquidation of the independent Albanian state began to be filled with the Conference of Peza.

However, the juridical problems arising from the destruction of the order established by the fascist occupiers could not be resolved by recognizing the legality of the anti-popular regime existing prior to the occupation and which had aroused the hatred of the masses of the people. The decisions of the Congress of Përmet to prohibit the return of Ahmet Zog's clique to Albania, to elect the Anti-fascist National Liberation Council as the main legislative and executive body representing the sovereignty of the Albanian people, not to recognize any government which might be formed within or outside

<sup>1</sup> Thus, for example, the PLO represents the Palestinian people in international relations, which is also sanctioned in the practice of the UNO.

the country against the will of the Albanian people and to revise or revoke any unequal agreement concluded by the regime of Zog with the foreign countries, reflected the situation created in Albania, the change in the ratio of social forces, the emergence of new forces and the historical doom of the exploiting classes and their reactionary regime.

Many bourgeois jurists today accept the concept of the legitimacy of any new state. Thus the French constitutionalist Maurice Duverger says: «The legitimacy of a government consists in the compatibility of its acts with the principles of positive law it itself has proclaimed... An actual government should conform to the principles which make up the new juridical order which the revolution giving birth to it aimed at creating, principles which will develop and become better defined but which will neither be created nor be removed from the future Constitution, which for its part will be drafted by an authority organized on the basis of these principles.<sup>1</sup> For his part Georges Burdeau makes a distinction between the concept of legality and legitimacy. According to him, a government is legal when it is created on the basis of some specific constitutional procedures, and it is legitimate when it is in conformity with the nation's idea of the law. Hence, a government may be legal but not legitimate, as for example the government of Vichy headed by Pétain.<sup>2</sup> For Burdeau legality is a question of form while legitimacy is a question of essence.<sup>3</sup> Though proceeding from formal juridical arguments, these views take account of the evolution of contemporary society,

<sup>1</sup> Maurice Duverger, *Contribution à l'étude de la légitimité des gouvernements de fait*, «Revue de Droit Public et de Science Politique», 1945, p. 80 (quoted from Georges Burdeau, *Droit constitutionnel et institutions politiques*, Paris 1963.)

<sup>2</sup> See Georges Burdeau, *Droit constitutionnel et institutions politiques*, Paris 1963, p. 328.

<sup>3</sup> Ibidem, p. 346.



unlike the theses of the reactionary bourgeois jurists, especially those of the USA who still stubbornly uphold theories and practices intended to perpetuate anti-popular regimes condemned by the peoples and by history.

Sovereignty means that, in a society organized into a state, state power should have these features:

1) Unity of the state expressed in the existence of a sole supreme organ or a system of organs which together make up the supreme state organ.

2) Concentration of coercive power in the hands of the state in the person of its organs.

3) Non-limitation of state power.

4) External independence of the state, which, from the standpoint of sovereignty, means free realization by the ruling class of its tasks and interests without any external interference, while from the standpoint of juridical form, excludes any external juridical restriction of this freedom, with the exception of the norms of international law accepted by all states, and by the interested state in the first place.

The new state, the existence of which was sanctioned by the Congress of Përmet, had in essence these indispensable features of any sovereign public power. Of course, these features could develop fully only after the liberation of Albania, when this state power would be established on a permanent basis, on a well-defined territory and in normal conditions of development.

6. The decisions of the Congress of Përmet imparted fresh vigour to the National Liberation War. In five months, from the Congress of Përmet to the 2nd Meeting of the Anti-fascist National Liberation Council, three fourths of Albania was liberated. With the setting up of the Anti-fascist National Liberation Committee the work of the national liberation councils as state organs assumed greater development. The Anti-fascist National Liberation Committee issued the necessary instructions for the strengthening of state power and the enhancement of its activity in all fields, because the successive liberation of the various regions put forward important tasks for the

restoration of the economy devastated by the war, for the organization of social, economic and cultural life.<sup>1</sup>

The problems arising from the liberation of the greatest part of the territory of Albania and the imminent complete liberation of the country made necessary the convening of the 2nd Meeting of the Anti-fascist National Liberation Council on 22 October 1944, in the liberated town of Berat. The Council decided that the Anti-fascist National Liberation Committee should be turned into the Democratic Government of Albania. The Anti-fascist National Liberation Council endorsed the law on the national liberation councils of localities, sub-prefectures and prefectures which is the first act of our people's democratic legislation in the form of law, as well as the law on the election of national liberation councils. The law on the national liberation councils recognizes them as the sole organs of state power.

The law defined the system and the principles of building these organs of local government, the relations of inter-dependence between national liberation councils of various levels, between these and their executive-legislative organs, as well as the competences of the executive-legislative organs. Besides the Anti-fascist National Liberation Council decided that from then on the national liberation councils should exercise only state functions whereas the organizations of the National Liberation Front should carry out political activities among the working masses.

Another document of great importance approved by the meeting of Berat is «The Declaration of the Rights of Citizens», which proclaimed the equality of all Alba-

<sup>1</sup> See for example the Circular of the Anti-fascist National Liberation Committee on the immediate tasks for the restoration of the national economy (July 25, 1944) in *Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana, 1962, p. 174; the Circular of the Anti-fascist National Liberation Committee for the opening of schools and courses against illiteracy for the grown-ups, (August 15, 1944), *Ibidem* p. 185, etc.



nian citizens before the law, the personal freedoms of citizens, equality between men and women, both in political life and social activities, the general right of equal, direct and secret elections, etc. These rights and democratic freedoms together with the fundamental duties of citizens, were later on included in the Constitution of the PRA.

In its declaration before the meeting of the Anti-fascist National Liberation Council, the Democratic Government made a short review of its achievements and at the same time laid down the program of its future activity.

Faithfully abiding by the decisions of the Congress of Përmet and the Anti-fascist National Liberation Council, the government reiterated its objectives: quick and complete liberation of Albania, defence of its independence, consolidation of the power of the national liberation councils, holding after liberation of free elections for the Constitutional Assembly which would decide upon the form of the state and approve the Constitution of the Albanian State.

7. With the transformation of the Anti-fascist National Liberation Committee into the Democratic Government the question of its international recognition emerged. The declaration of the Democratic Government at the 2nd Meeting of the ANLC stated explicitly that it demanded from the great allies as well as from the members of the anti-fascist coalition to be recognized as the sole government of Albania.

Even prior to the formulation of this demand, the development of events in Albania, the successes and extension of the National Liberation Movement and particularly the creation of the Anti-fascist National Liberation Committee with the attributes of a provisional government, had automatically raised the problem of the recognition of this movement, which was the only anti-fascist force during the war in Albania, not only from the military but also from the political standpoint. This was also discussed at the Congress of Përmet. The ques-

tion of the political recognition of the National Liberation Movement was first raised in relation to the British government, since Great Britain was the first among the Great Allied Powers to send its military missions to Albania in the spring of 1943. At the Congress of Përmet Comrade Enver Hoxha pointed out that these missions addressed themselves to the General Staff of the National Liberation Army also about problems of not merely military but also political character which were in the competences of a government.\* Therefore along with the demand of the General Staff of the NLA that the Mediterranean Allied Command should accept a delegation of our General Staff and the National Liberation Council to clear up any problems in regard to the common war and to coordinate military actions, the request was also made that an official representative of the Mediterranean Command should be accredited to our General Staff and have under his orders all the military missions in Albania, that there should be no British mission with traitor elements, and that the Anti-fascist National Liberation Committee should be recognized as an organ of state power emerged as expression of the will of the Albanian people. It was also demanded that Soviet and American military missions should be attached to the General Staff of the National Liberation Army.\*\* These missions came respectively in August and June 1944.

The British, who had expressed themselves against the recognition of a committee or government headed by Zog, in order not to have their hands bound in their policy towards Albania were even less inclined to recognize a government of the National Liberation Front towards which they did not hide their reservations and doubts. So they refused to send an officer to represent their missions at the Congress of Përmet and for some time lent a deaf ear to the demand for an exchange

\* Enver Hoxha, *Works*, vol. 2, p. 223, Alb. ed.

\*\* Enver Hoxha, *Works*, vol. 2, pp. 223, 224, Alb. ed.



of representatives between the General Staff of the National Liberation Army and the Allied Mediterranean Command. However, the new situation arising particularly after the crossing of the forces of the National Liberation Army to Northern Albania and after the disintegration of the gangs of Legaliteti and the *bayraktars* linked with the enemy, forced the British to revise their stand. So at the beginning of July, in a note to the General Staff of the National Liberation Army, besides the request to stop all attacks against gangs of Abaz Kupa, the commander of the Allied Mediterranean Command, General Wilson, proposed that a delegation of the National Liberation Movement should go to Italy for talks. In these talks, which were held in Bari, in July-August, the delegation of the General Staff of the NLA officially demanded from the Allies that they should recognize the Anti-fascist National Liberation Committee as the provisional government of Albania up to the end of the war. On instructions from the Foreign Office, General Wilson issued orders that the allied side should "politely" reject this demand, while at the same time agreeing that a mission of a merely military character,<sup>1</sup> of the National Liberation Movement, should stay in Bari. Despite their refusal to recognize the Anti-fascist National Liberation Committee *de jure* the fact that the Bari talks ended in an agreement, although of a military character, cannot be considered but as a recognition *de facto* of the position of the National Liberation Movement and the Anti-fascist National Liberation Committee which was the political organ that directed it.

In the subsequent weeks, the British stand on this question underwent further evolution. Faced with the reality, the British saw that Legaliteti was a losing proposition, that its forces headed by Abaz Kupa were disintegrating and that the new revolutionary state power was being established rapidly all over Albania. The former prime minister of Great Britain MacMillan, who

1 Public Record Office, F. O. 371/43551.

was minister plenipotentiary of his government for the Mediterranean during the war-time, writes: "In the last months of the war we had but to admit that in Albania, rather than in Rumania and Bulgaria, we had lost the game."<sup>1</sup> This was also apparent at a meeting organized in London on September 19, 1944 by the Foreign Office with representatives of the War Office, the SOE (a branch of the Ministry of Economic War) and the MI (a branch of military intelligence). The conclusions of this meeting were submitted to Churchill in a copy of the minutes, to which Eden added: "... in my opinion in the present circumstances there is no other alternative but to accept the prospect of the NLF (National Liberation Front) taking control of post-war Albania, and to concentrate our actions on the consolidation of our position so as to counter-balance Russian influence."<sup>2</sup>

Still up to the liberation of Albania the British avoided with great care the problem of the official recognition of the Albanian government. After failing in their threats, they put much hope on economic pressure, waiting, as MacMillan suggested on 21 October, 1944, for the "inevitable demand of E. Hoxha for aid for the civil population... and then we will tell him that we are waiting for a true national government before we commit ourselves to this work."<sup>3</sup> However, the British and the American imperialists reckoned again without the host, for the Democratic Government of Albania did not submit to their economic pressure and the Albanian people got down to work to heal the wounds of the war, relying on their forces. Still they thought it better to make use of our demand for official recognition of the Democratic Government so that later they might impose upon it such political concessions as would enable the western powers to exercise a decisive influence in the

1 Harold Macmillan, *La grande tourmente (Memoires de guerre 1939-1945)*, Plon, Paris, p. 576.

2 Public Record Office F.O. 371/43555

3 Ibidem, F.O. 371/43556.



affairs of Albania. Great Britain and the United States of America pursued this line up to the Autumn of 1946, when, faced with the resolute stand of the Albanian government, they were definitively convinced of their failure and threw off their mask of «politeness», withdrew their military missions from Albania and cut off all relations with the people's power, switching over to a policy of plots and political provocations which they had been following even before, but surreptitiously.

However, the short-sighted policy of the British and the American governments could not prevent the affirmation of the people's government in the international arena, which was proved by the recognition of the Democratic Government in the first year after Liberation by the Soviet Union, the countries of people's democracy, France, and a number of other capitalist countries, as well as by the participation of the PR of Albania as an associate power in the Peace Treaty with Italy.

8. The decisions of the Congress of Përmet were further completed and concretized up to the day of Liberation. The Regency and the quisling government were practically not functioning, the old state apparatus was on the whole destroyed from its foundations and the new apparatus of people's power set up on its place. This revolutionary process ended with the complete liberation of Albania on November 29, 1944.

Thus «with the liberation of the country, thanks to the correct class stand of our Party and its resolute tactics all state power passed completely into the hands of the working class in alliance with all the working and patriotic masses, into the hands of a single party, the Communist Party of Albania. This was the fundamental condition which enabled our country to embark unhesitatingly on the road of socialist development.»\*

The formation of this state which, with the complete liberation of Albania in November 1944, began to fully exercise the functions of the dictatorship of the prole-

tariat, is an original feature of the National Liberation War of the Albanian people. Although the war had in general an anti-imperialist national and democratic character, at the same time since it was a people's revolution, it eventually led to the establishment of the state of the working class, realizing in this way the main task of the socialist revolution. The road followed in Albania for the establishment of a socialist state passed not through a classical socialist revolution but through the National Liberation War which realized the social aspirations of the people.

This was a major historic victory of our people which was achieved thanks to the correct leadership of the Communist Party of Albania, the vanguard of the working class and all the working masses. The great teachers of the proletariat, Marx and Engels, have said that «a people who aspire to independence should not be content with the usual means of struggle. Mass uprising, revolutionary war, partisan units — these are the means a small people must resort to in order to conquer a big enemy.»\*

The development of the National Liberation War proved once again the correctness of these teachings of Marx and Engels. The initiative of the Communist Party of Albania in creating the national liberation councils enabled the realization of the great aspirations of the working masses to seize state power and establish a regime, which would ensure the complete liberation of the workers and the creation of a new life. According to the declaration of the Democratic Government at the Meeting of Berat, the national liberation councils together with the Army were the decisive factors of our victories.<sup>1</sup> In the article *Will the Bolsheviks Maintain State Power*, written on the eve of the October Revolution, Lenin said: «Had the popular creativeness of the

\* K. Marx and F. Engels, *Works*, vol. 7, p. 338, Russ. ed.

<sup>1</sup> See *Documents of the Supreme Organs of the Revolutionary National Liberation State Power*, Tirana 1962, p. 293, Alb. ed.

\* Enver Hoxha, *Works*, vol. 22, p. 92, Alb. ed.



revolutionary classes not created the Soviets, the proletarian revolution in Russia would have been impossible, because with the old state apparatus the proletariat would never be able to maintain state power and a new state apparatus could not be created immediately.\* This assessment of Lenin's about the role of the Soviets is also valid for characterizing the role of the national liberation councils in the triumph of our people's revolution.

The ideas that triumphed in the Great October Socialist Revolution, the experience of the Soviet state and the Communist Party of the Soviet Union led by Lenin and Stalin played a very great role in the building of our new democratic people's state. Our people set up the national liberation councils as the basis of their power because, in the example of the Soviets, they were the most suitable organs to represent the working masses of the town and the countryside and to defend their interests.

The victory of the Soviet Union in the Second World War inflicted a crushing blow to fascism and imperialism. This victory was the decisive external factor which helped several peoples of Eastern and South-eastern Europe, including the Albanian people, to liberate themselves from the foreign yoke and seize state power into their hands.

The Soviet Union foiled the plans of the reactionary circles of the USA and Great Britain which during the war had been preparing for the occupation of a number of countries of Eastern and Southeastern Europe, including Albania, under the pretext of attacking the fascist forces, but in reality wanting to quell the National Liberation Movement and bring reactionary governments to power. Besides the role of the Soviet Union which within a relatively short time liberated this zone of Europe, the resolute stand of the General Staff of our National Liberation Army, as for example, in the case of the landing of the British troops at Saranda, foiled the attempts of the imperialists at occupying Albania and saved the people from a new yoke.

\* V. I. Lenin, *Collected Works*, vol. 26, p. 100, Alb. ed.

«After an unsuccessful landing attempt in July 1944 at Himara because of strong German opposition, the British commandos were allowed to land at Saranda by the General Staff of the National Liberation Army on condition that they should leave Albanian territory after the carrying out of the combined operation for the liberation of Saranda. In utter disregard of the agreement concluded, the British commandos intended to stay on in Saranda and even penetrate deeper into Albanian territory. But faced with the determined stand of the General Staff of the National Liberation Army, they were forced to re-embark.»\*

Speaking of the importance of the external factor, we must take into account that it has been decisive in the defeat of nazi Germany hence in the liberation of Albania and the other countries of Europe. The presence of the Red Army encouraged working people of these countries to seize state power, to shake off the social yoke. Certainly, the role of the internal factor, the revolutionary struggle of our working masses led by the Communist Party of Albania, is far greater in the triumph of our people's revolution, in the seizure of power by the working class and the Communist Party of Albania, and the overthrow of the rule of the exploiting classes. Despite its importance, the external factor was only complementary. The concept of the ratio between the internal and external factor in the liberation of Albania from the fascist rule and in the triumph of the people's revolution is in conformity with the thesis of Marxism-Leninism, namely, that the social revolution is neither imported nor exported, that it takes place as a result of the inner development of the country. But this thesis of Marxism-Leninism and the historical truth are shamelessly distorted by those Soviet authors who distort history to suit the objectives of the present-day revisionist leadership of the Soviet Union. In an article on the role of the Soviet Army in the liberation of the peoples of

\* See Enver Hoxha, *The Anglo-American Threat to Albania*, «8 Nëntori» Publishing House, Tirana 1982, p. 342, Eng. ed.



Europe, after declaring that the Albanian National Liberation Army completed the liberation of the whole country at the end of November 1944, General Kuilkov, ex-chief of the General Staff of the Armed Forces of the USSR and today General Commander of the Warsaw Treaty forces, adds that: «the Albanian people... could not defeat them (the Italian and German occupiers — author's note) relying only on their own forces. And it was only due to the victory of the Soviet Army, that the fascist occupiers withdrew from Albania and the Albanian people won their long-awaited victory. The material aid of the Soviet Union to National Liberation Army of Albania during 1944-1945 played an important role in this direction.»<sup>1</sup> Apart from undervaluating the concrete results of the war of the Albanian people in the liberation of the country without the assistance of any other foreign army, the assertion that the Soviet Union has materially helped the Albanian National Liberation Army since 1944 is a flagrant distortion of the truth, because it is known that the Soviet Union did not give our Army a single bullet. Other authors in the Soviet Union or other countries where the revisionists are now in power have a tendency to link the beginning of the Anti-fascist National Liberation Movement in the Balkans with the Anti-fascist Coalition when it is known that in some of these countries, including Albania, this movement began much earlier than the creation of this coalition which may be considered formed with the coming into the war of the Soviet Union, in June 1941, or with the coming into the war of the third great member of this coalition, the United States of America, in December of the same year. Distrust and disrespect of the smaller peoples are clearly apparent in those statements. They are another expression of the line of Soviet social-imperialism that in the final analysis the destiny of the smaller peoples can be decided only by the policy of the great powers.

<sup>1</sup> Novaya i noveyshaya istoriya, no. 1/1974.

## CHAPTER FOUR

### THE CHARACTER OF OUR PEOPLE'S REVOLUTION AND NEW STATE POWER

#### I. THE CHARACTER OF OUR PEOPLE'S REVOLUTION

1. Immediately after Liberation our people's democratic state and its leading force, the Party, were faced with the new tasks of the consolidation of the victories achieved, the defence of the independence of the country, the wiping out of the remnants of fascism and its collaborators, the building of the new state apparatus on the basis of the national liberation councils and the new legislation, and the further development of the people's revolution.

These tasks were realized with success thanks to the consolidation of the people's democratic state.

From the outset the Albanian people's democratic state emerged as a state of a new type, different in principle from the bourgeois state, both in content and in form. Various views have existed in regard to the character of the people's revolution and the character of the people's democratic state in the first phase of its development.

The question of the character of the people's revolution in Albania and the other countries of people's de-



mocracy has major theoretical and practical importance also for the other countries where revolutionary workers' and national liberation movements open the prospects for the overthrow of the existing system and for going over in various forms, to the stage of the socialist transformation of the society.

Therefore, it is not by accident that the question of the character and the stages of the people's revolution and the character of the states which were set up in various countries of Eastern and South-eastern Europe and Asia after this revolution, have attracted the attention of many authors who have given their answers to this problem. Some works by the authors who have tackled this problem in the first years after the war reflect the opinion of some Soviet philosophers and jurists on the character of the revolution and the state power in the countries of people's democracy.

A general criticism of a metodological character which can be made of some Soviet authors is that they treat this problem «in general» for all the countries of people's democracy, disregarding the concrete conditions in which the revolution has developed in each country. Criticizing this way of the treatment of the problems Comrade Enver Hoxha writes: «The originality of the development of the revolution in our country which, without doubt, developed in a different way from the revolution in Czechoslovakia, Rumania or Hungary, does not emerge in the general characteristics of the people's democratic revolution.»\* This general treatment has frequently led to incorrect and onesided conclusions. Thus, for example, the Soviet jurist, I.P. Traynin, expresses the views that the revolution which was carried out in the countries of the people's democracy of Europe was not a socialist revolution but a democratic revolution, and that it led to the creation of a special type of democracy. Hence, the state which was set up as a result of it was neither a dictatorship of the bourgeoisie nor a

\* Enver Hoxha, *Works*, vol. 14, p. 29, Alb. ed.

dictatorship of the proletariat, but a state of a «third type» till then unknown in history. In the countries of the people's democracy the old state apparatus was not smashed as happened in Soviet Russia, but was only «renewed». The economic base of this state of a «special type» was built on new relations of production which were neither capitalist relations nor socialist ones. Thus, «this new type of state» responded to a «new type» of relations of production.<sup>1</sup>

In some of their works, the academicians E.S. Varga, the professors J.D. Levin and D.S. Karev<sup>2</sup>, fail to mention that, from the point of view of historical development, the countries of people's democracy were in the period of transition from capitalism to socialism; the state of people's democracy is not defined as a state of a socialist type and the people's democracy is not contrasted to the bourgeois democracy. Such conclusions were based on the fact that the economy of the countries of people's democracy was still made up of various economic systems. Nevertheless, this was not an argument to negate the socialist character of the state of people's democracy, because this character derived from its class content, its objectives and the leading role of the socialist sector in the economy.

This theory was refuted by other authors later, on the ground that it lacked a scientific basis, that it came into opposition with the historical reality and that it expressed, to a certain degree, the erroneous concepts on the possibility of adopting «special roads» for the construction of socialism without destroying the bourgeois state apparatus and without the dictatorship of the proletariat, which is contrary to the universal experience of the working class embodied in the Paris Commune, the Great October Socialist Revolution and the

<sup>1</sup> See *Sovjetskoe gosudarstvo i pravo*, No. 1/1947 and 3/1947.

<sup>2</sup> See E. Varga, *Demokratija novovo tipa, Mirovoje hozjajstvo i mirovaja politika*, No. 3/1947. I.D. Levin, *Sovjetskoje gosudarstvennoje pravo*, Jurizdat 1947; D.S. Karev, *Sudoustrojstvo*, Jurizdat 1948.



construction of socialism in the Soviet Union before the Khrushchevite revisionists came to power.

Another incorrect point of view adopted from a prearranged scheme and not from an objective analysis of the historical conditions and facts, advocates that the people's revolution in all the countries of people's democracy had a socialist character from the beginning.<sup>1</sup> Hence the specific character and the level of development of these countries was overlooked.

The view held by some early Soviet authors, that the revolution in the countries of people's democracy has passed through two stages of development — the first of a bourgeois democratic character and the second of a socialist character, and that the national liberation war in those countries has the character of an anti-imperialist anti-feudal revolution which belongs to the type of «a new bourgeois-democratic revolution», had gained wide circulation. These authors concluded that the offspring of this revolution is the revolutionary democratic dictatorship of the working class and the peasantry and not the dictatorship of the proletariat.<sup>2</sup>

2. In order to decide the question of the character of people's revolution, the concrete conditions in which it took place and which brought about its triumph, must be analysed. This is necessary in order to understand the character of the revolution and its stages, as well as the character of the people's state power which was born from it. This is indispensable because any conclusion based on general abstract schemes separated from the objective historical reality would be against the spirit of Marxism-Leninism.

«...Indeed, it must be said,» Comrade Enver Hoxha said, «that recipes, schemes and norms decided in advance do great harm, as they have done in fact... But

1 See, eg., *Teoria gosudarstvo i prava*, Gosjurizdat, Moscow 1949, pp. 454-455.

2 This idea was developed, first of all, by A. I. Sobolev (See. *Bolshaja Sovjetskaja Enciklopedia*, 2nd, ed., vol. 29, p. 132).

revolutions are not carried out on the basis of given norms, schemes and forms, hence, the history of our people's revolution cannot be written on such a basis. This is a superficial and not a scientific treatment of things, a departure from objective reality. Carefully studying the facts and the events, the various documents and phenomena, analysing them on the basis of the Marxist dialectical method and you will see that our Party has applied the teachings of Lenin and of the Great October Socialist Revolution in a creative way in the concrete conditions of our country.»\*

As regards our country, some specific aspects should be borne in mind in the assessment of the character of our people's revolution and our state.

Certainly the revolution in Albania has been a relatively long uninterrupted process in the course of which a series of social changes of an increasingly radical character were carried out.

Of course, our National Liberation War did not have socialist objectives. However, in the situation that was created objectively, in the profound social differentiation that took place, the landowners and the bourgeoisie as a class were deprived of the state power after Liberation.

The bourgeoisie, which sided openly with the occupier, objectively linked its fate and the fate of the whole landowner bourgeois class with the fate of the occupier. In these conditions, the struggle for liberation was necessarily a struggle for radical social changes, in which the Communist Party of Albania did not have to change the platform it had adopted hitherto. It stressed that the primary task was the struggle against the occupiers. Since the 1st Consultative Meeting of the activists of the Party, held in April 1942, the Party pointed out the importance of the organization of a single national liberation front, instructing the party organizations to rigorously preserve the national liberation character of the

\* Enver Hoxha, *Works*, vol. 23, p. 552, Alb. ed.



war «for a free, democratic people's Albania».<sup>1</sup> The 1st National Conference of the Communist Party of Albania, held in March 1943, criticized the sectarian manifestations and tendencies of some communists to give the National Liberation Movement a socialist colour.<sup>2</sup> Although a differentiation was taking place in the ranks of the peasantry, and this was reflected in the cool stand on the part of many rich peasants towards the National Liberation War, and in their support of the Balli Kombëtar, the Conference instructed that the broad masses of the peasantry should be mobilized in the National Liberation War «regardless of distinctions between the poor and the rich».<sup>3</sup> Even though in the directives of November 3, 1943, which reflected the change in the tactics towards the opposing forces, the CC of the CPA raised the need for open struggle and for the destruction of Balli Kombëtar and any other organization outside the National Liberation Movement, because «our struggle against reaction is part of the struggle against the occupiers, hence it is indivisible from it»<sup>4</sup>, it warned the party organizations not to slip into sectarian mistakes, to safeguard the broad popular character of the National Liberation War and to engage the communists together with the people in the struggle against the traitor bands and organizations<sup>5</sup>. The CC of the PLA drew attention to the fact that the main enemy was the German fascist occupier.<sup>6</sup>

But due to the position of the exploiting classes, the question of the stand towards the National Liberation War became a special socio-political issue.

1 See *Principal Documents of the PLA*, vol. 1. Tirana, 1960, p. 63, Alb. ed.

2 Ibidem, p. 112.

3 Ibidem, p. 113.

4 Ibidem, pp. 188-190.

5 Ibidem p. 192.

6 Ibidem.

The question arises whether or not in these circumstances the armed struggle waged against the traitor organizations of Balli Kombëtar and Legaliteti, which represented the landowners and the reactionary bourgeoisie and which were in the service of the occupiers, was a civil war.

The Albanian students have given different answers to this question. At the National Conference of Studies on the Anti-fascist National Liberation War of the Albanian people, held in November 1974, many arguments were given to prove that this was not a civil war «because the element of the civil war was a component part of the struggle against the occupier».<sup>1</sup>

In order to have the final say about this problem further special studies will be needed, still we think that it is difficult to accept the conclusion that the National Liberation War was not combined also with the civil war.

If it is accepted that the class struggle during this period grew extremely acute and the socio-political forces of the country were divided into two groups, mortal enemies of each other, and that the class struggle assumed the form of an armed struggle, the question arises: can an armed struggle be called other than a civil war?

The National Liberation War was also a people's revolution which, like any other revolution, had the question of state power at its centre. This revolution did not take place by a single act alone but through a relatively long class struggle which, at a certain stage, assumed the form of the armed struggle. Typical of the Anti-fascist National Liberation War of the Albanian people was the combination of the National Liberation War against foreign occupiers with the people's revolution, with the civil struggle against internal reaction in their pay.

1 Ndreci Plasari, *Rallying of the People Round the CPA in the National Liberation Front*, Tirana 1974, p. 26, Alb. ed.



To admit that there was a civil war in Albania does not mean to deny that the contradiction between the Albanian people and the occupier, hence the National Liberation War against the latter, was in the first place. Even when the struggle against reaction assumed the form of civil war, it continued as an indivisible part of the struggle against the occupier which becomes clear from the documents of the time.

It is true that the Communist Party of Albania and the National Liberation Front were against turning the National Liberation War into a civil war, and have always stressed that the main enemy was the foreign occupier, that the traitors in the service of occupiers should be fought as such and not as class enemies. But with the development of events it emerged that these traitors were not individual elements or groups, but formed a class in itself, whole social strata, that the military forces of reactionary organizations despite their lack of organization and fighting spirit were not isolated bands, but formations which comprised thousands of people.

It is true that internal and external reaction (German and British) spoke of a civil war in Albania. Indeed laying a stress on this aspect of the struggle of the Albanian people against internal reaction, the Anglo-Americans tried to minimize their struggle against the German occupiers. Precisely to give the lie to these slanders, Comrade Enver Hoxha stressed: "There are no internal quarrels in Albania, and even less a civil war. *There is only one quarrel and one war: war against the occupier, in the first place, and against its traitorous tools.*"\*

But, we think that this declaration of Comrade Enver Hoxha, in reply to the note from General Wilson, chief of the Allied Mediterranean High Command, which demanded that the National Liberation Army cease the "civil war", should be seen in the context of the histori-

cal moment when it was made. It was made to refute the slanders of the Anglo-Americans that the Albanian National Liberation Army had neglected the struggle against the German forces and concentrated its attacks against the reactionary forces, the fate of which concerned the Allied Mediterranean High Command. Our war was one and indivisible: against the occupiers and the traitors, however from an historical analysis of this war seen from a distance of 40 years we conclude that the war against the collaborators of the enemy was a civil war which took place in the framework of the main war against the occupiers — and which was submitted to the strategy and tactics of this war.

The creation of the new state power was a decisive factor which determined this revolutionary direction. In the concrete conditions of our country, the struggle against the occupier and its collaborators developed necessarily along with the struggle for radical revolutionary transformations, for the destruction of the old order and old social relations.

In our country it was the working class which shouldered the historic task of leading the process of revolutionary bourgeois-democratic changes, whereas in other countries, in different historical conditions, this task was carried out by the bourgeoisie. In these circumstances, our people's revolution as a component part of the world socialist revolution, contained elements of the socialist revolution which were expressed, first of all, in the leading role of the Communist Party.

Under the leadership of the Party, the revolutionary democratic movement, which broke out after the fascist aggression, took new forms and a new direction. The National Liberation War released all the revolutionary energies of the working people, which had built up during the operation of internal contradictions. The National Liberation War which assumed a class character in the course of its development, inevitably grew into a socialist revolution in its final stage.

The National Liberation War developed consistently

\* Enver Hoxha, *Works*, vol. 2, p. 273, Alb. ed.



and successfully also because the working masses saw in this war the perspective of the overthrow of the old exploiting order, apart from the perspective of victory over fascism. The aspirations of the masses for a new social order, which in the circumstances created could be only the socialist order, were strengthened and concretized even more during the National Liberation War. These aspirations of the working masses for democratic and socialist reforms were partly and gradually realized with the triumph of the uprising and by the organs of the new people's state in the liberated zones.

The policy of the new state organs was guided mainly by the interests of the working class and the working masses, thus becoming a powerful weapon of the social revolution which was combined with the National Liberation War. These features of the new state organs were outlined more completely in the Congress of Përmet, the decisions of which sanctioned the creation of new Albania as a state of the workers and working peasantry, a state which would pave the way for the socialist development of the country.

These socialist elements of our people's revolution grew and developed especially in the last months of the war before the complete liberation of the Homeland.

A specific feature of the people's revolution in Albania is precisely the fact that the working people, led by the working class and the Communist Party, won the final decisive battle against the exploiting classes in the conditions of the liberation war against the occupiers and traitors.

If this war was transformed gradually into a socialist revolution, this was due to its motive forces, its leadership and the objective direction of its development.

The socialist elements of this revolution were reflected even during the war in the emergence of the new state power, the state of the working people, which was the negation of the entire old state system.

All these factors conditioned the emergence of a socialist state directly from the national liberation war.

This is a novelty in the revolutionary practice and a development of the Marxist-Leninist theory of the revolution and the state, the importance of which transcends the borders of Albania and has special interest for all those countries with conditions more or less similar to those of Albania.

When the character of our people's revolution is defined it should also be borne in mind that our National Liberation War was directed against fascism, the most savage offspring of imperialism and financial oligarchy. On an international plane, the contradiction between the working class and the bourgeoisie, especially until the end of the Second World War was manifested, first of all, as a contradiction between the capitalist oligarchy, represented by fascism, and the working class. It is true that fascism, against which the struggle of the Albanian people was directed, was the foreign occupier, the offspring of Italian and German financial oligarchy, but the Albanian big bourgeoisie united with it and made common cause with it. This contradiction between the Albanian working class and masses, on the one hand, and fascism, on the other, was in essence also a contradiction between them and that part of the local bourgeoisie which had embraced the aims and methods of fascism.

In themselves, the anti-imperialist, anti-fascist and national-liberation tasks of our revolution, besides its anti-feudal tasks, could not be considered as tasks of a democratic-bourgeois revolution. The national liberation tasks do not determine the character of a social revolution. They may be solved either by a bourgeois or socialist revolution, indeed they may be solved even without a social revolution, through a national liberation war, as has often been the case in the past, although in the present epoch this is highly improbable because national contradictions are very closely linked with social contradictions.

In the conditions of Albania where the bourgeoisie had linked its fate with that of fascism, the anti-fascist



tasks of our people's revolution were bound to assume an anti-capitalist character. Their solution could be achieved only through deepening the revolutionary process and establishing the dictatorship of the proletariat. Hence, although our people's revolution was linked with anti-imperialist, anti-fascist and anti-feudal national liberation tasks, it overthrew the capitalist system in our country and paved the way for the subsequent construction of socialism.

The experience of our country proves once again the correctness of Lenin's words: «He who waits for a 'pure' social revolution will never live to see it. He who does not understand the real revolution is a revolutionary only in words.» Further Lenin stressed: «Socialist revolution in Europe cannot be other than an explosion of a war en masse of all the oppressed and the discontented.»\*

The new situation created in Albania after the Congress of Përmet, in the last months prior to Liberation, as a result of the successive victories of the National Liberation Movement, of the withdrawal of the forces of the occupier and the destruction of the state power of reaction and the organized forces of the exploiting classes prepared the terrain for the transition, upon the liberation of the country, to the socialist revolution.

The Communist Party of Albania had clearly defined the relationship between the national liberation and democratic tasks, which made up the first stage of our revolution, and the socialist tasks belonging to a later phase. In January of 1943, Comrade Enver Hoxha wrote in the newspaper «Zëri i popullit»: «At present the CPA is fighting at the head of the National Liberation Front... for the liberation of the country and for a new democratic Albania. This is the first phase of our struggle. However, this does not mean that we are not working to prepare the second phase. The first phase is a

\* V. I. Lenin, *Collected Works*, vol. 22, p. 436, Alb. ed.

preparation for the dictatorship of the proletariat. But to put the second phase before the first now would undermine the common struggle of the people against the occupier.»\* Hence, the strategic aim of the Party was to carry out consistent through to the end the national liberation anti-fascist and democratic tasks as a premise and starting point for the socialist revolution and to go rapidly over to the direct implementation of the tasks of the socialist revolution. This strategic aim included the complete overthrow of the power of the bourgeoisie and the seizure of power by the working class and the Communist Party. However, in the context of this strategy the immediate and direct aim was the successful completion of the National Liberation War. So the National Liberation War was a transition to the socialist revolution.

3. As we mentioned above, in our literature in the past there existed the view that not only prior to but also after liberation the people's revolution in Albania had a bourgeois democratic character (although it was said that it was a «new bourgeois democratic revolution») and that only after the February 1946 Plenum of the Central Committee of the Communist Party of Albania, which exposed the opportunist views of Sejfulla Malëshova and laid down the measures for the transition to the building of socialism, this revolution was transformed into a socialist revolution, that our people's democratic state up till that time did not solve socialist tasks, because the premises for the socialist revolution did not exist in Albania at that time.

According to our opinion, this view led to wrong conclusions also regarding the character of our people's democratic state after Liberation and its general tasks, about which we shall speak below.

This view failed to take into consideration the fact that the working class and its Communist Party were at the head of the revolutionary National Liberation Move-

\* Enver Hoxha, *Works*, vol. 1, p. 136, Alb. ed.



ment, that one of the main tasks laid down by our revolution during its development was the overthrow of the power of the bourgeoisie and the landowners, hence parallel with the solution of national liberation and democratic tasks our revolution dealt a heavy blow at the capitalist system in Albania and in this way opened the road for the transition to the socialist stage.

Our bourgeois-democratic revolution was transformed into a socialist revolution not after the February 1946 Plenum of the CC of the CPA but immediately after the Liberation of the country.

Every revolution means the substitution of the dictatorship of one class for the dictatorship of another class, of one state for another state, of one social order for another social order. Therefore, according to Marxism-Leninism, the fundamental problem of every revolution is not the agrarian question or any other partial problem which can be solved by the newly-born revolutionary power, but the problem of state power the solution of which is of fundamental importance for the solution of all the other problems of the revolution and the main lever for the radical transformation of the economic base of society which is to be developed in accordance with the class nature of the state.

In the final analysis the class nature of a revolution is not determined by the character of immediate, current tasks, which the newly-created revolutionary state solves, but by the class character of the state that solves these tasks, by the character of the social order which the state aims to achieve and which is achieved through revolution. In this sense, the complete liberation of our country and the establishment of the people's power, the power of the working class led by the Communist Party, should on a whole be considered as the point of transition from the democratic revolution into the socialist revolution.

In this manner the first stage of the revolution prepared the conditions for the beginning of the second stage, while the second stage was the development of

the first stage of the revolution. The ending of the democratic revolution was at the same time the beginning of the socialist revolution since there was no intermediary stage between them. These two stages were combined with each other. «In our country,» writes Comrade Enver Hoxha, «the first stage of the socialist revolution is combined with the stage of the bourgeois-democratic revolution (the period 1945-1946 was the period of economic-social reforms which in general belonged to the bourgeois-democratic revolution but which resembled also the socialist revolution...)\*»

The socialist revolution, the period of socialist transformations, began immediately after the victory of the National Liberation War, from the moment the working class seized state power and the levers of the economy all over the country.

This characteristic of the socialist revolution distinguishes it from the bourgeois revolutions. While the bourgeois revolution breaks out when capitalist elements have emerged and developed in the feudal order, the socialist revolution does not find socialist elements in the economy of capitalism, but only some technical-material premises (in the first place the social character of production) which make the socialist revolution historically indispensable.

Unlike the bourgeois revolution which ends with the seizure of power by the bourgeoisie, the seizure of power by the working class, in alliance with the working peasantry, is only the beginning of the socialist revolution, the beginning of social transformations which aim at restricting and liquidating the economic base of capitalism and setting up the economic base of socialism, in conformity with the character of political power.\*\*

4. When we admit that, with the Liberation of Albania, the democratic revolution ended and its transformation into a socialist revolution began, we must bear

\* Enver Hoxha, *Works*, vol. 14, p. 30, Alb. ed.

\*\* See J. V. Stalin, *Questions of Leninism*, p. 123, Alb. ed.



in mind that the main democratic tasks in the political field were solved in the period from the Congress of Përmet to the Liberation of the country. Thus the 1st Anti-fascist National-Liberation Congress sanctioned the destruction of the old landowner-bourgeois apparatus, liquidated Zog's monarchy, prohibiting his and his followers' return to Albania pending the final solution of the question of the form of the state, decided to revise all the concessions the government of Zog had granted to foreign states as well as the economic and political agreements it had signed with them, to annul those that were to the detriment of the people and to conclude new ones. The 2nd Meeting of the Antifascist National Liberation Council in Berat proclaimed the democratic rights and freedoms. Thus with the liberation of Albania not only the national liberation tasks but also the main democratic tasks in the political field were on a whole achieved. Now socio-economic problems of a democratic and anti-feudal character, with the Land Reform being the main one among them, had to be solved.

After the liberation of the country, the Land Reform and other measures of a democratic character besides a series of measures of a socialist character were implemented.

A very important measure which our state took to restrict the sphere of the private ownership of the principal means of production so as to prepare the ground for their transition to state ownership was the Law no. 19 of December 15, 1944 of the Standing Committee of the Anti-fascist National Liberation Council which decided that in the extraordinary circumstances of the war time and for the needs of the reconstruction of the country all industries and companies in Albania would be placed under the state control.<sup>1</sup> This measure was somewhat different from the analogous measures taken by the Soviet government after the Great October Socialist Revolution, because while in the Soviet Union the

control of the workers was established over the capitalist enterprises, in Albania these enterprises came under direct state control. However, this state control was a form of worker control.

Lenin's saying that worker control is «the first fundamental step that every socialist, worker government must take»<sup>\*</sup> was vindicated through the implementation of this measure in Albania, too. It must be pointed out, also, that even prior to the promulgation of this law, when Albania was not completely liberated, the people's democratic state had taken measures to establish its control over private property in industry and to protect state property. The law on the national liberation councils of localities, subprefectures and prefectures adopted by the Anti-fascist National Liberation Council at its Berat session on December 22, 1944 charged the national liberation council with the task of supervising the management of property in localities, subprefectures and prefectures, of protecting all public property that was found temporarily or permanently in their sector. The national liberation councils of prefectures were also charged with the supervision of industrial enterprises which had importance in the supply of the army and the civil population which actually meant the establishment of state control over these enterprises.<sup>1</sup> Likewise in December 1944 it was decided to ban the export of valuable metals, agricultural and industrial products, that is, considerable restrictions were imposed on private trade so as to eliminate speculation which hindered the restoration of the national economy, whereas another law enabled the confiscation of the movable and immovable property of political exiles. This measure turned considerable property into state property, since many political exiles were among the main exponents of the local landowners and the bourgeoisie.<sup>2</sup>

\* V. I. Lenin, *Collected Works*, vol. 23, p. 144, Alb. ed.

1 *Official Gazette*, No. 1, 1944.

2 *Ibidem*, No. 2, 1944.

1 *Official Gazette*, No. 2, 1944.



On the basis of this law the special commissions set up in the prefectures issued decisions on the confiscation of the property of the war criminals and political exiles.

On account of the urgent need for a general economic plan, the Economic Council which would work out a plan for the economic development of the country for a particular period was set up in January 1945. The Planning Commission was also set up as a technical organ of the Economic Council.<sup>1</sup>

The extraordinary taxation on war profits had exceptional importance. All profit exceeding 500,000 gold francs made from 7 April, 1939 to 31 December 1944 was subject to this taxation. Who did not declare his amount of profit on time or declared a lower amount was subject to a surplus tax, while tax evaders were subject to the confiscation of their property.<sup>2</sup>

In the spring of 1945 the Presidency of the ANLC issued the decision on the nationalization without compensation of all water conservancy systems which served or might serve for irrigation or for industry. They were placed free at the service of the broad masses of peasants as well as of industry.<sup>3</sup> It was also decided to confiscate the property of all those who during the occupation had collaborated with the enemy or the traitor organizations but who could not be prosecuted because they either had been killed in fighting against the National Liberation Army or had died before the liberation of Albania.<sup>4</sup>

A circular of the Ministry of the Economy on the exercise of wholesale and retail trade placed internal private trade under effective state control. Among other things, wholesalers were not allowed to make any transaction without the permission of the Executive Com-

mittee of the prefecture. Likewise, this Committee would set prices for many necessities.<sup>1</sup>

Following the decisions of the Congress of Përmet on the revision and eventual annulment of all the agreements concluded by the government of Zog with foreign states to the detriment of the Albanian people, in the context of measures against the exploiting classes, on January 13, 1945 the Standing Committee of the Antifascist National Liberation Council took the decision on the confiscation of all state or state-controlled property of Italy and Germany in Albania and on the control of the property of their citizens. Under the same law, the property of different Italian concessions and companies in Albania was confiscated, too.<sup>2</sup> The Standing Committee of the ANLC decided on the annulling of the concession of the National Bank of Albania and all its shares and the taking over of all its passive and active balance by the Albanian state.<sup>3</sup>

Actually, confiscation measures and the annulment of the concession of the National Bank and its shares had the character of nationalization.<sup>4</sup>

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1 *Official Gazette*, No. 84, 1945.

2 *Ibidem*, No. 3, 1945.

3 *Ibidem*, No. 4, 1945.

4 Confiscation is take-over without compensation of private property by the state on the basis of a court verdict or through administrative channels in cases contemplated by law. The confiscation of property is a form of penalty for crimes or other offences which are not regarded as crimes. Confiscation has some similarities with nationalization. Like nationalization, confiscation is violent take-over of property without compensation by state. Since through confiscation property goes over to the state, like nationalization, it is considered one of the primary ways of acquiring wealth. However, in essence they are different from one another. Confiscation is a concrete penal measure. It is taken against particular persons as a sanction for breach of the law. On the other hand, confiscation of state or state-

1 *Official Gazette*, No. 3, 1945.

2 *Ibidem*

3 *Ibidem*, No. 13, 1945.

4 *Ibidem*, No. 67, 1945.



Expropriation of the property of enemy states and, later, private enterprises and their transformation into state property was a revolutionary measure, based on the teachings of Marxism-Leninism to the effect that «the proletariat uses its political power to gradually dispossess the bourgeoisie of its capital, to concentrate all the means of production in the hands of the state, that is, of the proletariat organized as a ruling class, and to rapidly increase the productive forces.»\* This expropriation without compensation is a revolutionary measure and differs in its juridical notion from routine expropriation as stated, for example, in our 1945 law «On expropriations and requisitions», which, dealing with the conditions and limits of expropriation, specifies that expropriation is always done against compensation, with the exception of special cases envisaged by law.<sup>1</sup>

The practical importance of expropriation of the assets of Italy and Germany becomes clear from the fact that in 1938, 75.6 percent of industry was owned by foreign capital, 22.6 percent of it belonged to joint capital (foreign and national) with foreign capital controll-

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controlled property of Italy and Germany had no such character, it was outright nationalization. In this case nationalization was not a penal or administrative measure, or a penalty to certain persons. It was a general revolutionary measure aimed at putting an end to the interference of the foreign monopolies in Albanian affairs and, at the same time, creating the base of the socialist economy.

In this direction the expropriation of the state and state-controlled property of Italy and Germany was different from the confiscation of the property of political exiles and the confiscation of the property of those who had made common cause with the enemy and who could not legally be punished otherwise than by confiscation through administrative channels.

\* Marx-Engels, *Selected Works*, Tirana 1975, vol. 1, p. 42, Alb. ed.

<sup>1</sup> *Official Gazette*, No. 5, 1954.

ing the key positions, while only 1.8 percent of it was in the hands of the local bourgeoisie. The state sector, which was created mainly on the basis of these expropriations in 1946, accounted for 84 per cent of the total industrial production.<sup>1</sup>

It should be pointed out that extraordinary taxation and confiscations, although in form, were democratic measures taken in the process of the struggle against fascism and those who had profited from it, in essence, they were socialist measures which expropriated and liquidated the richest part of the bourgeoisie. In particular the law of taxation on extraordinary profits had many purposes: in the fiscal field, it was intended to increase state revenues, in the social field it was meant to reduce differences in wealth among citizens, and in the economic field it envisaged to make frozen capital available and forcing merchants to bring out a considerable part of the gold they had hoarded in order to pay taxes.

Extraordinary taxation was fully justified because as against the original capital and the economic-financial condition of the country, the profits made in Albania during the war were perhaps greater than in many other countries. The fascist occupation of the country and the extension of the internal markets greatly favoured the speculations of the merchants who in 1938 and in the first months of 1939 were in a state of crisis and they could hardly make a profit of 2 to 5 per cent.<sup>2</sup> Extraordinary taxation was applied not on the ordinary income of the bourgeoisie but on its monetary accumulation from superprofits made during the war. Extraordinary taxation had to do only with a definite form of capital, money capital, while productive capital and commodity capital were not directly hit. In this way extraordinary taxation was directed against the more parasitary form of capital in the context of democratic measures, which still were

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<sup>1</sup> *Statistical Year-book of the PRA*, 1959, p. 65.

<sup>2</sup> See *Bashkimi*, March 22, 1945.



very radical. However, extraordinary taxation could not be taken isolated from the deepening and sharpening of the class struggle; it was intended, on the one hand, to liquidate the financial base of the counter-revolution and, on the other, to ensure the necessary financial means for the development of the process of revolutionary transformations without waiting for accumulation by usual methods.

As a result of these measures a broad sector of the state economy, which would keep on extending and strengthening, was created.

Thus right after the attainment of the main aim of our National Liberation War — the Liberation of our country, when the democratic tasks in the political field were on the whole achieved, our state took measures of an anti-imperialist and socialist character.

And this was logical because with the liberation of the country our revolution, which was in constant development, had to carry out such social transformations as would lead the country to socialism.

The premises for social transformations of a socialist character existed already. True, the insufficiently developed capitalist production and the remnants of feudal and patriarchal relations were a great, though not unsurmountable, objective hindrance in this direction. However, there existed some favourable factors which made possible the creation of these premises. In the internal plane these factors were the establishment of the state of the working class under the leadership of the Party and its employment as a means for the abolition of the old relations and the creation of the socialist economy, and the high level of consciousness of the masses of the people who were subjectively prepared for these revolutionary transformations.

On the other hand, as Marxism-Leninism teaches us, in the epoch of imperialism the role of international conditions in the social development of various coun-

tries increases and as a consequence the problem of the premises for the socialist revolution is treated differently, too. The development of the socialist revolution cannot be regarded as the result of the solution of the internal contradictions of a particular country only, but, first of all, as the result of the exacerbation of contradictions in the entire world system of imperialism.

«Formerly we used to speak of the existence or non-existence of the objective conditions for the proletarian revolution in individual countries...» says J.V. Stalin. «Now we must speak of the existence of the objective conditions for the revolution in the world system of the capitalist economy as a whole, and the existence in this system of some countries which are not very developed industrially cannot be an unsurmountable obstacle to the revolution if the system as a whole is ripe for the revolution.»\*

In these circumstances, in order to see whether the premises for the socialist revolution exist in a particular country, we must consider to what extent the whole world capitalist system is ripe for the triumph of the socialist revolution in its weakest chain. Since the premises for the socialist revolution in the world system of imperialism exist in general, the level of the capitalist development of a country is not the decisive factor for the triumph of the revolution.

The socialist revolution in our country developed in conformity with these teachings of Marxism-Leninism thereby refuting the «theory of the productive forces» of the ideologists of social democracy who claimed that the transition to socialism is possible only when the productive forces have reached a high level of development.

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\* J. V. Stalin, *Works*, vol. 6, p. 99, Alb. ed.



## II. ON THE CHARACTER OF THE PEOPLE'S STATE POWER EMERGED FROM THE NATIONAL LIBERATION WAR

1. Bearing in mind the above-mentioned circumstances, it is clear that our people's state which had just emerged from the National Liberation War was not simply a democratic dictatorship of the revolutionary forces, as V.I. Lenin saw it, but a form of the dictatorship of the proletariat. Ignoring the fundamental characteristics of the revolutionary process in Albania, proceeding from their theoretical stereotypes, some foreign authors have put forward the thesis that the people's power established in Albania after Liberation was a sort of democratic-revolutionary dictatorship of the workers and peasants, that the socio-economic measures of this state, which in general were measures of an anti-imperialist and anti-feudal character, were not directly intended to liquidate the bases of capitalism which shows the character of the state in the first stage after Liberation.<sup>1</sup> However the fact that reforms of a bourgeois-democratic character were carried out before reforms of a socialist character does not rule out the socialist content of our people's revolution. Obviously, the accomplishment of bourgeois democratic tasks was an indispensable premise for the accomplishment of socialist tasks.

In his article *The Fourth Anniversary of the October Revolution* Lenin writes about the relationship between democratic and socialist measures: «We have consummated the bourgeois-democratic revolution as nobody has done before. We are advancing towards the socialist revolution, consciously, deliberately and unswervingly, knowing that it is not separated from the bourgeois-

<sup>1</sup> See, for example N. D. Smirnova, *Obrazovanie Narodnoy Respubliki Albani*, Moscow, 1960, p. 147; *Vsemirnaje Istoriya*, vol. 10, 1965, p. 419.

democratic revolution by a Chinese wall.»\* «We solved the problem of the bourgeois-democratic revolution en passant, in passing, as a 'by-product' of our main and genuinely proletarian, revolutionary, socialist activities.»\*\*

And further on, speaking about the relationship between the bourgeois-democratic revolution and the socialist revolution, Lenin says: «The first grows into the second. The second, in passing, solves the problems of the first. Struggle and struggle alone decides how far the second succeeds in outgrowing the first.»\*\*\*

Likewise, in this article Lenin speaks about the bourgeois democratic content of the October Revolution in the sense that only this revolution may carry the bourgeois-democratic reforms in Russia through to the end. This, however, does not mean that the power of the Soviets which emerged from this revolution was not a dictatorship of the proletariat only because of the fact that at first it accomplished a number of tasks of the bourgeois-democratic revolution.

The different tasks accomplished by a state do not necessarily bring about a difference in its character, because this is determined not by the immediate tasks it fulfils but by the class content expressed in its functions.

The Marxist-Leninist theory of the state teaches us that a state can solve its tasks only in the context of its functions. With functions of a state we understand its activity to carry out the fundamental tasks it is charged with in a particular period. Thus the functions of a state represent a broader and more constant category than its immediate tasks. Tasks differ and replace one another, while functions, although not static, undergo a slower evolution.

The functions of a state may also undergo an evolu-

\* V. I. Lenin, *Selected Works*, vol. 2, p. 807, 1958, Alb. ed.

\*\* Ibidem, p. 809.

\*\*\* Ibidem, p. 810.



tion from one period to another without the class content of the state, its character, being altered in the least. A clear example of this is our state, the functions of which differ today from those of the first stage of its development both in quantity and quality, although its content and character have not changed.<sup>1</sup>

With the character of a state V.I. Lenin understood its class content which depends on which class wields state power. Thus criticizing Kamenyev, who after April 1917 considered the slogan «all the power to the Soviets» as premature, since not all the bourgeois democratic tasks had been accomplished in Russia, examining the two possible variants of the development of the revolution, Lenin pointed out that transition of all state power to the Soviets would only mean the creation of a democratic-revolutionary dictatorship, while transition of all state power to the Soviets with the Bolsheviks in the lead would mean the creation of the dictatorship of the proletariat. Thus the fact of who wields state power has decisive importance, independently from the tasks it has to solve in a particular period.

The idea of the democratic-revolutionary dictatorship of the workers and peasants was formulated by Lenin in 1905 in Russia, at a time when strong petty-bourgeois parties existed in the camp of the revolution, especially that of the SR's which was supposed to take part in a government that would emerge from this revolution. Only after the establishment of the leadership of the working class and its party was the transition to the dictatorship of the proletariat made possible.

Lenin has clearly defined the content of the demo-

<sup>1</sup> Thus for example the internal function of coercion exercised by our state today, although the same in regard to its class content, differs from that of the first stage of its development, because the sphere of its operation has been narrowed and the method of military coercion applied partially in the first years after Liberation has been replaced totally with the method of legal and administrative coercion of enemy activities.

cratic-revolutionary dictatorship. He says that the revolutionary democratic dictatorship of the working class and the peasantry «will be unable to affect the foundations of capitalism without passing through many intermediary stages of revolutionary development. It might at best make a radical re-division of the land to the benefit of the peasantry, establish complete consistent democratization up to the proclamation of the republic.»\*

«The revolutionary transformations in this period in themselves not only do not liquidate capitalism, the domination of the bourgeoisie, but on the contrary, for the first time they really open the way to a broad and rapid European and not Asian-like development of capitalism, for the first time making possible for the bourgeoisie to rule as a class.»\*\* Thus this is a revolution which does not go beyond the limits of the bourgeois socio-economic order, that is, the capitalist order, which expresses the demands of capitalist development, not only not destroying its bases, but on the contrary extending and deepening them.

Lenin wrote: «The triumphant revolution is the democratic dictatorship of the proletariat and the peasantry.

«The content of the revolution — the setting up of a democratic political order is equivalent to: 1) the free development of capitalism; 2) the abolition of the remnants of serfdom; 3) the raising of the standard of living and level of culture of the mass of people, particularly its lowest strata.»\*\*\*

From the standpoint of its political and economic content the democratic-revolutionary dictatorship has these characteristics: 1) capitalism remains the basis of the social order; 2) the democratic-revolutionary bourgeoisie standing for the prevailing force in the composition of power is in power; 3) the democratic bourgeoisie

\* V.I. Lenin, *Collected Works*, vol. 9, p. 50, Alb. ed.

\*\* Ibidem, p. 40.

\*\*\* Ibidem, vol. 8, pp. 518-519.



shares the power with the proletariat; 4) utilizing the political freedoms the proletariat has won, it is fighting to avert the peasantry from the influence of the bourgeois parties in order to win the ideological and political leadership over the peasantry, to win leading positions in the state organs and to prepare for the struggle for the overthrow of capitalism.\*

Hence, it is clear that such a state not only is not socialist but embodies the interests both of the working class and the bourgeoisie.

From Lenin's and Stalin's characteristics of the democratic-revolutionary dictatorship, it is evident that it is different from the people's democratic state which was established in Albania after the liberation of the country, from the dictatorship of the proletariat where the party of the working class, as J.V. Stalin says, *does not and cannot share power with any other bourgeois or petty-bourgeois party.*\*\*

2. The arguments that the people's democratic state in Albania in the first period after liberation was not a socialist state but a democratic revolutionary dictatorship, since its main task was not the carrying out of socialist measures but of bourgeois-democratic ones, since representatives of the bourgeoisie participated in our state organs and state administration in that period, are unfounded arguments, because they mix up different concepts — the problem of the class character of the state with the question of the composition of the government and other state organs, the problem of the fundamental tasks of the state, which are reflected in its functions, with the problem of the concrete, immediate tasks, which may be primary for a particular period of the activity of the state, but which do not determine its class content and its fundamental tasks in general.

The primary task of our people's democratic state

\* J. V. Stalin, *Works*, vol. 9, pp. 181-182, Alb. ed.

\*\* J. V. Stalin, *On Questions of Leninism*, p. 126, Alb. ed.

after Liberation was the construction of socialist society. This task was conditioned by the class character of the state with the working class and its Party in the lead, in alliance with the peasantry. Thus by its objectives and general tasks and, consequently its content, our state of people's democracy was a socialist state. The working class needs this state to organize the socialist economy, to curb the resistance of the exploiting classes, to defend the gains of the revolution against the threat of an eventual attack from abroad. Writing about the dictatorship of the proletariat in the first stage of development of the USSR, Lenin says that "There has been no one, if I am not mistaken who, having discussed the problem of the economy of Russia, has denied the transitory character of this economy. It also seems to me that not a single communist has denied the fact that the expression Socialist Soviet Republic means that the Soviet power is determined to pass onto socialism and does not in the least mean that the new economic system is a socialist system."\*

About the same question Stalin says: "Often we refer to our Republic as a socialist Republic. Does it mean that we have achieved socialism, have liquidated the classes and abolished the state?... It is evident that we have not. Are we right to call our Republic socialist? Of course we are. From what aspect? From the aspect of our *resolution* and *readiness* to build socialism, to wipe out the classes, etc."\*\*

Hence the fact that during a particular period of time the economy of Albania comprised different sectors, including the capitalist one, does not mean that in its form the state power corresponded with the condition of the economy. On the contrary, our state had a socialist character since the working class led by its party was the sole class which had political power and never for a moment did it share its power with any other

\* V. I. Lenin, *Collected Works*, vol. 27, p. 377, Alb. ed.

\*\* J. V. Stalin, *Works*, vol. 11, p. 308, Alb. ed.



class. Precisely because of this class character our state could fulfil its historic role as the main lever for the socialist transformation of the economy.

The revisionists have quite different concepts regarding the class character of the state in the period when socialist relations had not yet triumphed. Proceeding from the premise that «a proletarian state is a state which has a socialist mode of production» the Yugoslav jurist, Lukić, says that «if socialism does not yet exist the state cannot in the proper sense of the word be socialist, or proletarian, either... If socialism exists partially, then the state, too, is socialist, that is, a partly proletarian and partly still bourgeois state...»<sup>1</sup>

Underrating the decisive importance of the seizure of power by the working class, these views wipe out the distinction of principle between the socialist and the bourgeois state and disregard the general tasks facing the state after the seizure of power by the working class.

Implementing its general policy and taking immediate measures, the government lays down the ways and means for the fulfilment of the general tasks of the state. With the triumph of the people's revolution and the creation of the people's democratic state in our country, such immediate measures and tasks combined with radical socialist transformations were transformations of a democratic character without which no socialist transformations could be effected.

Our state and government always have had the same class character, however the government and, less so, the other state organs must not be confused with the concept of the state. History shows that in various countries, in particular stages of the period of transition to socialism, representatives of petty-bourgeois and bourgeois parties have taken part in the government provided they

<sup>1</sup> Radomir Lukić, *Teorija države i prave*, I, Belgrade 1956, p. 370.

accepted the policy of the government led by the communists.

Such was the participation of the left SR's in the Soviet government in the years 1917-1918, and the representatives of some parties of the petty bourgeoisie and the bourgeoisie in the governments of some countries of people's democracy.

Some Soviet authors capitalize on this participation of bourgeois parties in the governments and state organs of socialist countries, saying that «the question of state power was not yet solved because the bourgeoisie existed as an independent political force, it had its parties, its press, its representatives in the government, in the legislative organs, in the state apparatus, it took part in the governing of the country...»<sup>1</sup> We think that this question must be subjected to a concrete differentiated analysis according to conditions of each country and not treated in general, as these authors do.

It is a fact that in some countries, in the first period of people's democracy, the working class did not have a majority in the government and the legislative organs.<sup>2</sup>

<sup>1</sup> *O narodnoj demokratii v stranah Evropy*, p. 43, M. Gospolitizdat, 1956.

<sup>2</sup> In Bulgaria on the basis of a pre-electoral agreement concluded between the member parties of the Patriotic Front, from the 1945 parliamentary election the Communist Party emerged with 94 seats, the Bulgarian Agrarian Unity with 94, the «Zveno» Party with 45, the Social-democratic Party with 31, the Radical Party with 11 and the non-party elements with one seat. There were only 4 ministers from the Communist Party in the first government of the Patriotic Front. In the May 1946 parliamentary elections in Czechoslovakia, the communists won 38% of the votes. The first government in the liberated Poland (31 December 1944) was composed of these parties; the Worker (Communist) Party (4 seats), the Socialist Party (5 seats), the Popular Party (5 seats), the Democratic Party (1 seat) and non-party elements (2 seats). Later on such representatives of the



The participation of some parties or groups of the bourgeoisie in the governing of the country is also explained by the class ratio, by the fact that in some countries the bourgeoisie managed to retain strong positions even after the defeat of fascism, availing itself of its participation, though limited, in the Anti-fascist War.

However, the participation of the representatives of other parties in the governments of some countries of people's democracy, is in itself no argument to prove that the question of state power had not been solved, if the question is not of sharing power with the petty and middle bourgeoisie, as in the case of the democratic dictatorship of the working class and peasantry, but only of allowing some representatives of the bourgeoisie and the petty-bourgeoisie to participate in the organs of power in particular conditions and for a certain period, without infringing the principle that only the working class through its party can exercise state power.

Naturally, the participation of different bourgeois and petty bourgeois parties in the national liberation front or popular front, even when the communist party is its leading force, cannot fail to create problems and complications for the working class and its party. «When the Communist Party goes to revolution and war together with other progressive parties,» says Comrade Enver Hoxha, «it has to overcome many difficulties both in achieving victory in the liberation struggle and in developing the revolution further, from the anti-imperialist and anti-feudal democratic stage to the stage of the socialist rev-

bourgeoisie as Mikojlacik were included in the government. In the government of Rumania formed on 6 March, 1945 the communists were in the minority. Representatives of the bourgeoisie were members of the government, king Michael was still playing a role in the political life of the country. In Hungary the Communist Party won 17% of the votes in the parliamentary elections of 1945 (see Laszlo Nagy, *Democraties populaires*, Arthand Paris, 1968).

olution. It cannot pass through this process so easily and in the way our Party did.»\*

Because of their nature and class position the bourgeois parties, indeed, even those which consider themselves «socialist» parties, will sooner or later have contradictions with the working class and its communist party, when the interests of the classes they represent are affected.

Therefore the line of cooperation that a communist party may follow with the different strata of the bourgeoisie or their parties must be implemented parallel with the line of struggle against their divisive and opportunist activities. In the case of the participation of bourgeois or petty-bourgeois parties in the government of a people's state as a result of the victory of the Front in the national liberation war or in the revolution, this participation can be only limited and temporary. «After the dictatorship of the proletariat has been established and consolidated...» Comrade Enver Hoxha says «the existence for a long time of other parties, even 'progressive' ones, inside or outside the Front, even formally, on account of their alleged traditions, has no meaning, is against reason. Any progressive tradition is merged in the revolutionary line of the communist party. The revolution overturns a whole world, let alone a single tradition. Since the class struggle goes on during the whole period of the construction of socialist society and the transition to communism, and since political parties express the interests of specific classes, the presence of other non-Marxist-Leninist parties in the system of the dictatorship of the proletariat would be absurd and opportunist, especially after the economic base of socialism has been built. This in no way infringes democracy, but,

\* Enver Hoxha, *The Role and Tasks of the Democratic Front*, Selected Works, «8 Nëntori» Publishing House, Tirana 1982, vol. 4, p. 304, Eng. ed.



on the contrary, strengthens genuine proletarian democracy.»\*

The experience of some countries of people's democracy in Europe has proved that the existence for a long time of bourgeois or petty-bourgeois parties has been a negative factor which, together with the revisionist course pursued later by the leadership of the communist party itself, has influenced the negative process which has been and is developing in these countries. In some cases, this regressive process has brought about the revival or consolidation of the system of two or more parties in the name of «democratic pluralism» which is opposed to the so-called «dogmatic» «monolithic» concept of socialism.

Right from the outset, the historical conditions in Albania prevented the creation of other parties and their participation in the National Liberation Front apart from the Communist Party which took the banner of national liberation into its hands. If other parties were not created, this did not occur because the Communist Party prevented it as the reactionary forces and their American and British imperialist supporters make out. The creation of a party does not depend on subjective desires. Every political party expresses the interests of a particular class or social stratum which may play an independent role in the political field. In the conditions of fascist occupation, no other class or social stratum, apart from the working class, was able to play this independent role. This accounted for the failure of the attempts of some bourgeois elements to set up their own parties in the course of the war, like the social-democratic party, etc., which would distinguish themselves from the *Balli Kombëtar* and *Legaliteti* (which had disgraced themselves by their open collaboration with the occupiers) and which would counter-check the National Liberation Front and the Communist Party.

\* Enver Hoxha, *The Role and Tasks of the Democratic Front, Selected Works*, «8 Nëntori» Publishing House, Tirana 1982, vol. 4, pp. 307-308, Eng. ed.

The Communist Party of Albania was not a priori against the founding of other parties. «Had such progressive parties been formed, our Party would not have been against cooperation with them on the question of the organization of the war against the invaders.»\* Such a stand was clearly reflected in the directives of the Party during the National Liberation War. Instructing the party organizations to continue the exposure of the *Balli Kombëtar* and to oppose any other party that would operate outside the National Liberation Movement, the CC of the CPA stressed: «This does not mean that we are against the formation of different political parties but, if these parties are formed, they should first and foremost include in their program the war against the invader, war in deeds and not in words, and take part in the National Liberation Front, while having the right to retain their individuality.»<sup>1</sup>

As Comrade Enver Hoxha points out, the fact that no other political parties existed in our country favoured the war of the Albanian people, the working class and the Communist Party for national liberation, for the triumph of the popular revolution and the construction of socialism. Had such parties been created «all their activity would have been to the detriment of the unity of the people, to the detriment of the liberation war, would have been directed against the people's power, against the great economic, political and organizational reforms, would have been detrimental to the reconstruction of the country and the building of socialism.»\*\*

The analysis of the characteristics of the revolution in Albania shows that the arguments put forward by

\* Enver Hoxha, *The Role and Tasks of the Democratic Front, Selected Works*, «8 Nëntori» Publishing House, Tirana 1982, vol. 4, p. 289, Eng. ed.

<sup>1</sup> *Principal Documents of the PLA*, vol. 1, Tirana 1960, p. 179, Alb. ed.

\*\* Enver Hoxha, *The Role and Tasks of the Democratic Front, Selected Works*, «8 Nëntori» Publishing House, Tirana 1982, vol. 4, p. 289, Eng. ed.



some Soviet authors that «the question of state power was not completely solved», which may be open to discussion in the case of some countries of people's democracy, do not stand against the reality of our country. Regarding the social composition of the local and central organs of state power in Albania in the course of the war and immediately after Liberation, it is known that although the big bourgeoisie sided with the enemy, individual elements of it took part in the National Liberation Front and our organs of state power without being organized and without representing any political party.

This shows the wisdom of the policy of our Party which gave a hand to all those who were for the liberation of Albania from the foreign occupier.

However, the degree of their participation and the role these bourgeois elements played in the state organs were insignificant. This participation was not related to a ratio of forces which would compel the Communist Party to make way for the reactionary bourgeoisie. On the contrary from the start the ratio of forces was such as to prevent these bourgeois elements, with a number of them later betraying the interests of the people and the Homeland, from participating in the organs of the state. However, our Party declared that any honest and patriotic person could contribute to the development of the country. Besides this, Sejfulla Malëshova's views which were exposed at the 5th Plenum of the Central Committee of the Communist Party of Albania had an influence on the participation of many such bourgeois elements in the Front and in the state power.

Improvement of the social composition of the state organs is not a proof of the change of the class character of the state, since improvements of this kind were made not only in the years 1945-1947, but also later.

We are fully justified to say that irrespective of this participation of some individuals of the reactionary bourgeoisie in the state organs in no one of the countries of people's democracy the role played by the communist

or worker party has been more decisive than that played by the Communist Party of Albania. The leading role of the Party in the state organs was a question not of the number of its members in the central organs<sup>1</sup>, but of its effective influence.

All this was a reflection of the leading role of the Party in the National Liberation war, an expression of the trust of the masses of the people in the Party and its members. This by no means ran counter to the program of the Party for the organization of a broad National Liberation Front which would be the pivot of the struggle of the Albanian people.

Hence, the fact that the character of the state in Albania has not changed through reforms of either a democratic or socialist character, clearly shows that our state remained a dictatorship of the proletariat, which emerged in the course of both the National Liberation war and the People's Revolution.

With its rapid and deep-going revolutionary socioeconomic transformations I mentioned above, our country set out on the road of socialist development. The role of the working class as the ruling class in alliance with the working peasantry and the leading role of the Party were further enhanced. The dictatorship of the proletariat in our country was strengthened and with the approval of the Constitution of the PRA on March 14, 1946, its organization was improved further.

<sup>1</sup> In the central organs of the state and administration set up by the Congress of Përmet, the communists made up: 62% of the Antifascist National Liberation Council, 73% of the Standing Committee of the Council, of 11 *chargé d'affaires* in the Antifascist National Liberation Committee only 2 were not members of the Communist Party. Comrade Enver Hoxha, General Secretary of the Communist Party of Albania, was at the head of the Committee. The overwhelming majority of the councillors in other organs were non-party people tested and tempered in the war and closely linked with the Party.



## CHAPTER FIVE

### THE RATIO BETWEEN THE STATE AND THE NEW ALBANIAN RIGHT

1. The historical road of the birth, development and consolidation of our state as a dictatorship of the proletariat is closely linked with the birth and continuous development of our socialist law.

The Marxist-Leninist theory deals with the problem of the state and law in their close reciprocal relationship; it does not allow any overestimation or underestimation of their mutual influence. Therefore, it does not accept the bourgeois conception of «the juridical state» which gives «priority to the law», or such theories as Hans Kelzen's normativism, which identify the state with the law, or «étatist» concepts which proclaim «the absolute priority of the state over the law», considering the latter only a product of the state.

The relationship between the state and the law in the conditions of a social revolution assumes certain important characteristics. The new historical type of the state and law is formed in the course of the revolution. The fundamental issue of the revolution is the overthrow of the old state power and the creation of the new state power. Simultaneously the revolution creates its own «juridical base», proclaims its new principles which run counter to the old law, establishes new juridical institu-

tions and a new legislation. It lays the foundations of a new system of law provided the new state power is created in the course of the revolution.

Since the bourgeois revolutions of the 19th century, the bourgeoisie raised the cult of «legalism» in opposition to the revolution, the principle of the succession of the law, the principle of the «legal base» of the revolution.

However, the «legal» base of the bourgeois revolution presupposes a reformist and non-revolutionary road of development for the ideologists of the bourgeoisie. This concept was adopted by the ideologists of social reforms who argued that, if it cannot be avoided the socialist revolution must by all means be carried out in the framework of the existing laws, without violence, then the revolution must not create its own «juridical base».

In the present time, considering the concrete conditions revolutions have created in various countries, proceeding from the idealist concept of «the idea of legality» as a necessary condition for the existence of a state power, many bourgeois jurists accept the «plurality» of this idea, i.e., hold that the «idea of legality» of the group in power justifies the existing order, whereas the «idea of legality» of the opposing groups is a program for the changing of this order and the creation of a new one. The French jurist George Burdeau consider the law as a means of politics, a means for the transformation of society, because, «undoubtedly, in the historical plane, the revolution is a phenomenon of violence, while from the juridical point of view the revolution is an attempt on the part of the law to penetrate social life.»<sup>1</sup>

According to him, the revolution begins when the official idea of legality meets with no response in the juridical consciousness of the members of the collective. So a new idea of legality emerges supported by an acting power whose aim is to replace the established authority

1 G. Burdeau, *Droit constitutionnel et institutions politiques*, Paris 1963, p. 43.



in order to introduce the leading principles of its idea of legality into the social organization. The revolution is, therefore, nothing other than replacement of a law with another law.<sup>1</sup> No matter how violent the forms of development of this process, says Burdeau, this process is well-grounded juridically, because the law is «a means for the realization of a concept of social order». Consequently the power representing the triumphant idea of legality is legitimate even when it has not yet assumed the appropriate form in the juridical sense. According to Burdeau and the disciples of his school, the revolution embodies the new law which constitutes the basis for the future juridical order. The idea of legality is not platonical. It has a dynamism of its own which pushes it towards its realization because it is an idea of the future, and so it gives birth to state power. Therefore, for Burdeau the revolution is not a simple fact, it is a juridical phenomenon and, consequently, it is erroneous the claim that in the juridical science there is no place for a juridical theory of the revolution.

These theses are, of course, a step forward in comparison with the former views of bourgeois jurists. Unlike his predecessors, Burdeau does not consider it possible to justify the existing order by referring to some rigid idea of legality, because such an attempt would not be successful today. By establishing a new socio-economic order, the revolution uses the law to sanction the new state power, to create a new juridical order, a new juridical awareness. But even when bourgeois jurists like Burdeau and others admit this in essence, they identify the revolution with the replacement of the idea of legality. This view leaves aside the principal element of the revolution; the advent to power of a new class, and at the same time enables the bourgeois jurists to consider partial constitutional changes as the revolutionary victory of some new order. Today the apologists of capitalism,

<sup>1</sup> G. Burdeau, *Droit constitutionnel et institutions politiques*, Paris 1963, p. 30.

the reformists and revisionists, have adopted this tactic.

By admitting in words the right of uprising, Burdeau and other bourgeois jurists make the reservation that in the conditions of the bourgeois democracy it may have only the meaning of the right of peaceful parliamentary opposition, because under this regime, «opposition is included in the political system as one of its component parts.» Therefore, actually this means that every future revolution in the bourgeois-democratic countries must be considered a priori illegal.

Contrary to the bourgeois idea of «the continuity of the juridical order» in the period of the revolution, Lenin came out with the idea of the creation of a new legality by the working masses in the revolutionary way.

By proving the correctness of Lenin's ideas, the experience of our country refutes the theory of the «uninterrupted character of the juridical order».

Under juridical order the Marxist-Leninist theory understands a system of social relations which in the last analysis is determined by the economic base of society and regulated by law. With the revolutionary overthrow of the old social structure and superstructure the liquidation of the old juridical order comes about in due course.

The Marxist-Leninist thesis that the revolution creates a new state and a new juridical order, which are not the continuation of the old state and the old juridical order, must be regarded in its two aspects: 1) the inner, and 2) the outer aspect, i.e., the juridical relations of the new state with other states.

In regard to the inner aspect, the revolution interrupts all continuity between the old state and the new one. The state of the new type, especially the socialist state, has no legal continuity with the overthrown old state.

In regard to the external aspect, the continuity of the state in the international juridical plane is accepted both in theory and practice. From this standpoint, the new state is in principle the successor of the old state in international relations, but it depends on its sovereign power to decide in which concrete rights and obligations



it should present itself as the successor of the old state.

Hence, the internal and external obligations of the old state pass on to the new state only when they are in conformity with the new juridical order.

Besides, nothing can prevent the new juridical order from encroaching upon citizens' rights acquired on the basis of the old juridical order.

This has happened many times in the course of history. For example, in 1793 in France the Jacobin government declared explicitly that it was not obliged to pay the debts incurred by monarchy which had been overthrown by the French Revolution.

Likewise, after the October Revolution, the Soviet government refused to acknowledge the debts Russia had incurred and the economic treaties it had signed with foreign capitalist states.

In regard to our country, the decision of the Anti-fascist National Liberation Council to revise and eventually annul the economic and political agreements the government of Zog had concluded with foreign states to the detriment of the Albanian people meant that continuity of the Albanian state in the foreign plane was acknowledged, though with some reservations. Likewise, the law on the liquidation of the obligations of the state towards private persons, which was adopted in 1946, showed that the state recognized no obligation accruing from the old state.

On the other hand, by the Constitution of the People's Republic of Albania and other provisions the right of private ownership over a great part of the means of production was abolished.

2. As was said above, the revolutionary process of the birth and development of our state is closely linked with the birth and development of our new law.

Besides the problem of the juridical continuity that was dealt with above, the way our new juridical system was born and its structure are of special interest for the study of the process of the birth of the new revolutionary law in Albania.

The basis of our law were laid in the time of the National Liberation War. Its first elements emerged together with the first elements of the new state organization. During the National Liberation War, the revolutionary law developed on the basis of a process beginning from the first measures of social regulation, which were mostly of a general political character, to the norms of a legal character which emerged from the Përmet Congress and later.

The first acts of the national liberation councils had rather an organizational character. In particular the ordinances issued by the national liberation councils of the liberated regions and zones deal mainly with the ways of the formation, composition and activity of the organs of the new state power. For example, the latter with the instructions the national liberation council of the Gjirokastra region sent the national liberation council of Kurvelesh on 17 June, 1943, among other things set the following tasks: quick distribution of the mail and letters; settling of differences and organization of trials for minor offences; punishment, fining and handing over to the nearest çeta of persons who, despite admonishments, continue to obstruct the National Liberation War; regular meetings and proper recording of decisions; taking of decisions on the basis of the majority of votes. The instructions demanded that all aid in money and other forms of aid for the war should be recorded in a special register and one of the council members charged with book keeping. Reports should be given at the end of each month as to the available fund. The council should look after the leasing of pasture lands, the distribution of maize and other foodstuffs to the people. The letter said, "In brief, the council is the local government and takes an interest in everything that is to the benefit of the National Liberation War and the people."<sup>1</sup>

Likewise, another letter of instructions of the council

<sup>1</sup> Central Archives of the Party, Fund of the National Liberation Council of Kurvelesh, 1943.



of the Gjirokastra region to the council of Kurvelesh on 6 July, 1943, among other things stresses the need for more careful examination of trial cases and complaints from the people, or decisions of the lower councils at the meetings of the regional council. Sometimes the lower councils adopted too rigorous measures. The regional council had the right to revise or annul all improper decisions of the lower councils.<sup>1</sup>

These examples, of which there are many, show that ordinances of an organizational character predominate in this period. Besides, and not only in the acts of the higher organs (e.g. in the Rules of the National Liberation Councils, issued by the National Liberation General Council and endorsed by the Conference of Labinot) there are provisions of an administrative or penal character obligatory for all citizens. Thus on 29 April, 1943 at the meeting of the national liberation council of Gora it was decided that «any unknown traveller whether armed or not, whether single or in a group, must be stopped, interrogated and, on the slightest suspicion, kept in the village until the matter is cleared up. . . At their meetings the village councils must inform the population that the use of fire-arms is prohibited. For the first contravention they will be fined with 90 rounds, for the second with 100 rounds and for the third with the confiscation of the gun.» The same decision says further that «the state and communal pastures of the region must be declared free and the people must enjoy grazing rights there. All former grazing rights are not recognized. The breaking in of new land in state pastures is prohibited.»<sup>2</sup>

By this time the national liberation councils also tried civil cases of minor importance. They based themselves on their revolutionary juridical conscience or on customary law. In the above mentioned letter of the na-

1 Central Archives of the Party, Fund of the National Liberation Council of Kurvelesh, 1943.

2 CAP, Fund of the National Liberation Council of Gora region, 1943.

tional liberation council of the Gjirokastra region to the council of Kurvelesh on 6 July, 1943 it is said among other things, «the regional council has the right to appoint specialists from different villages to settle some quarrel which it itself cannot solve or bring the question up for an open trial, with the participation of experts of the customary law even from other regions and then its decision is final.»<sup>1</sup> So customary law played a certain role especially in settling civil conflicts, in cases in which the councils did not apply the provisions of the old civil law.

The question arises whether the acts issued by the national liberation councils before the creation of the people's democratic Albanian state, i.e., before the Congress of Përmet, were juridical. The answer should undoubtedly be positive. These acts were issued by the organs of a new state power and the triumph of the revolution sanctioned their value effectively. They were acts laying down rules of conduct, envisaging even coercive measures to guarantee the victory of the National Liberation War and the defence and strengthening of the state power in the liberated zones. Hence, they were juridical norms, in the first place, because actually they had such a character. Besides, from the formal juridical standpoint, the decisions of the Congress of Përmet, or those of the Constituent Assembly, after Liberation sanctioned *a posteriori* their character as juridical norms.

However, acceptance of the acts issued before the Congress of Përmet as juridical norms does not mean that they constituted a new law ever since. Acceptance of the existence of a new law before the Congress of Përmet<sup>2</sup> might lead to acceptance of the priority of the law over the state, which is characteristic of the normativist theory. This conclusion would run counter to the

1 CAP, Fund of the National Liberation Council of Kurvelesh region, 1943.

2 See, for example, Dhimo Dhlma, *The Constitutional Law in the PR of Albania*, Tirana 1963, p. 63.



historical facts and would be theoretically wrong. We can talk of a new law only after the 1st National Liberation Congress, i.e., after the creation of the new Albanian state of people's democracy. But just as special organs of state power existed before the creation of this state (their gradual development led to its formation) so even before the law was established as a system of juridical norms more or less defined with an internal unity, there already existed special juridical norms issued by these organs of the revolutionary power. As our state was gradually created with the development of these organs, so the new law was gradually created with the norms set by these organs. The Albanian state and law of people's democracy were definitively created in the 1st National Liberation Congress, but their beginnings can be traced back as early as the spring and autumn of 1942.

If we speak of the creation of the new Albanian laws from the Congress of Përmet on, we must accept that a new juridical system has been built ever since. At first sight, this may seem a bit hasty, since by that time the new law had not yet assumed such a development as to regulate all the aspects of social life. To recognize the existence of a law system it is not necessary for this system to cover all the branches of the law, just as the existence of a state is not dependent on the complete building of all its organs. A law system implies at least the existence of such fundamental juridical norms as determine the main principles of the building of the state, according to which the other branches of the law can develop. In this respect with the creation of the new Albanian state a new juridical system was created, too, although partially. This system had an internal unity conditioned by the fundamental principles which governed the people's power and all the revolutionary national Liberation Movement. Of course, the new juridical system was completed after the Liberation, especially, after the adoption of the Constitution of the PR of Albania, when the different branches of the law developed

in higher internal unity, favoured by the complete abrogation of the old law.

The principles of the law system during the National Liberation War were determined by provisions of a constitutional character. Such provisions of a constitutional character are comprised not only in the decisions of the Congress of Përmet and the Meeting of Berat but also in those of the Conferences of Peza and Labinot.

As to their juridical nature, these acts are divided into resolutions, constitutions and regulations, decisions and laws.

The resolutions, like those of the Conference of Peza and the 2nd National Liberation Conference are documents of a political character. Transcending juridical forms, they determine the general policy to be followed by the National Liberation Movement and its leading organs. Whereas the other acts, although they contain many programmatic theses, have a definite juridical form.

As regards the time for which these acts were in force they had no time of expiry, although they were issued by organs of a provisional character.

The approval by the Constituent Assembly in January 1946 of the legislative activity of the Anti-fascist National Liberation Council and its Standing Committee gave these acts their full and final force. As a result they remained in force juridically even after the abolition of the organs that had issued them, until they were replaced by new juridical acts.

According to these fundamental provisions, during the war a series of other acts of a juridical character were issued about the setting up of the organs of the new state power, the definition of their competences, etc. Such acts were issued not only by the national liberation councils, but later on also by the General Staff and the General Command of the National Liberation Army.

Thus in August 1943, an order of the General Staff of the National Liberation Army provided for the setting up of military courts in all the groups and brigades



according to the instructions laid down in the rules on the formation of the groups of the Partisan Volunteer National Liberation Army. These courts try with the greatest justice and a pure conscience, making no distinction between civilian and military, all persons accused of the following offenses:

1. Espionage in favour of the enemy;
2. Actions of betrayal of the Homeland, the people, the National Liberation War;
3. Desertion from the ranks of the Volunteer Partisan National Liberation Army;
4. Murder, robbery, political and other crimes;
5. Impeding the army in carrying out its military tasks.»<sup>1</sup>

After the liberation of the country, a series of laws and ordinances were issued to enable the democratic people's state power to carry out its functions.

3. A question of theoretical and practical importance after Liberation was that of the juridical validity of the juridical norms issued during the Italian and German occupation as well as the juridical norms issued by the respective organs of the Albanian state before the fascist occupation.

The law No. 61, dated May 17, 1945, of the Anti-fascist National Liberation Council abrogated and proclaimed null and void all the juridical norms issued during the time of the Italian and German occupation, whereas the norms in force before 7 April, 1939 remained valid for some time thereafter if they were not contrary to the new democratic spirit and the new norms issued by the Anti-fascist National Liberation Council and the Democratic Government.<sup>2</sup>

From the analysis of the above law of the ANLC some problems deserving special attention emerge. First

1 See: *Documents of the General Staff and General Command of the Albanian National Liberation Army*, vol. 1, Tirana 1965, p. 70, Alb. ed.

2 *Official Gazette*, no. 12, 1945.

comes the question from what moment in the past should the juridical norms issued during the Italian and German occupation be considered invalidated. Were they invalidated from the moment the law of the ANLC came into force or did this happen earlier still? We hold that the superseding of the laws issued during the wartime, in particular their proclamation null and void, meant that their annulment was absolute and had not an *ex nunc* effect, i.e., since the day of enactment of the above law, but an *ex tunc* effect, that is, since April 8, 1939. One might object to this opinion, saying in principle that a law has no retro-active force, that is, regulates only the relations created after its proclamation and that, moreover, the law No. 61 of the ANLC does not explicitly say from when the laws issued by the organs of the occupiers are null and void. So as a consequence, it can have no retro-active force which may make an extended interpretation of it possible. However, these arguments which may seem correct from the juridical-formal standpoint do not stand if we analyse the meaning of the law of the ANLC. From an analysis of article 1 of this law it emerges that it expresses two moments: *abrogation* of the juridical norms of the occupation period (the abrogation comes into force from the issue of the law of the ANLC) and *their declaration* null and void. Unlike abrogation, this second moment shows that the annulment of these norms had an *ex tunc*, not *ex nunc* force. They were not considered merely abrogated like any other juridical norm, but invalid for all times and in all aspects.

Besides, if the question is regarded not only in its juridical aspect but also in its political aspect, no juridical validity could be recognized to the norms and decisions imposed by a foreign state on the Albanian people.

According to our juridical literature<sup>1</sup> the Italian mil-

1 See V. Meksi, *The Juridical and Political State of Albania during the Italian Fascist Occupation*, «Drejtësia Popullore», No. 5, 1967.



itary occupation brought about the liquidation of the sovereign and independent Albanian state. The war of the Albanian people never ceased during all the time of the fascist occupation, and the organs created by the occupier were only its tools which represented nothing. From the international juridical aspect, this is said in Article 31 of the Peace Treaty with Italy signed after the 1947 Paris Conference: «Italy recognizes that all the agreements or treaties signed between Italy and the authorities it had set up in Albania from April 7 to September 3, 1943<sup>1</sup> are null and void.»

The invalidation of the agreements signed between fascist Italy and the traitor government of Tirana during the time of the occupation fully proves the thesis of the invalidity also of the acts of a local character issued by the fascist government of Tirana and the other organs in the service of the occupier.

The invalidation of all acts of a national and international character issued by these organs includes, among other things, the «decision» of the fascist government of Shëfqet Vërlaci to declare war on Greece, following the aggression of fascist Italy against the Greek people. On the basis of the nullity of all norms and decisions issued by the so-called Albanian governments of the time of the fascist occupation, the government of the PR of Albania has rejected the absurd claim of the former Greek governments that «a state of war» exists between Greece and Albania.

For these reasons it is clear that the Law No. 61 of May 17, 1945 of the Anti-fascist National Liberation Council gives retroactive force to the invalidation of all the acts issued by the occupier and their organs after April 7, 1939.

However, in certain cases this principle did not find total application in the law of the ANLC. This principle was applied in a consistent way in the juridical relations arising from these provisions. These relations would ne-

cessarily be regulated according to the new provisions of the people's power.

But in the cases in which juridical relations were regulated by court decisions of the time of occupation, the law was interpreted differently dependent on the kind of juridical relations and the decision-making organ. Thus, according to Article 2 of Law No. 61 of the ANLC sentences passed by the military authorities and other special political or martial courts during the time of occupation were declared null and void regardless whether these decisions were based on provisions issued during the occupation or prior to April 7, 1939.

In those cases the law consistently applied the principle of Article 1, which declared null and void the juridical provisions issued during the time of occupation.

The law did not provide for other penal cases besides those mentioned in Article 2, or decisions on juridical, civil and administrative relations during the time of occupation. Proceeding from the argument «*a contrario*» we consider it right that such decisions retained their validity.<sup>1</sup> Thus the law was inconsistent with the principle stated in Article 1. This is explained by the fact that the legislator did not want to cause disorder in social relations (not of a political character) which had been regulated according to the juridical norms that were in force in the time of occupation. Abrogation of all the juridical norms and court verdicts on civil cases would have meant revision of hundreds and thousands of civil cases long ago settled by court decision. This would only have caused great confusion in social relations.

We also support the other opinion that although the law made no mention of other decisions of an administrative and political character taken by the administrative organs of the occupier, these decisions, in particular those of a political character, had to be considered null and void be it only for the reason that they were in flagrant

<sup>1</sup> See, A. Nathanaili, *The Juridical Validity of the Old Provisions in the New State*, «Drejtësia Popullore», No. 1/1948.

<sup>1</sup> The day of capitulation of Italy.



opposition to the new juridical order established by the people's revolution.<sup>1</sup>

The fact that the juridical norms of the pre-Liberation period which came under the conditions set in the above law of the ANLC and to which the new provisions referred<sup>2</sup> were not abrogated, does not mean that the old juridical order continued «without interruption», because these juridical norms did not retain their former character and did not lead to the same consequences as before Liberation.

It must be borne in mind that this exception from the total abrogation of the norms of the period before the fascist occupation was made at time when the new legislation, which was just being created, could not immediately regulate the more important fields of social life.

Immediately after Liberation the process of the replacement of old norms started at a rapid pace. Besides, the law of the Anti-fascist National Liberation Council of May 1945 must be considered as connected with the decree No. 392 of January 1947 of the Presidium of the People's Assembly on the proper interpretation of Article 3 of this law.<sup>3</sup> This decree stated that the provisions in force before April 7, 1939 could not be considered as still continuing to be in force, that they could have only an auxiliary character when they did not run counter to the new order, and this only temporarily, until new positive norms had been established. It is known that the interpretation of the decrees of the Presidium of the People's Assembly begins not *ex nunc* (ie., from the day

1 See, A. Nathanaili, op. cit.

2 Such were the norms included in the special part of the Penal Code and other penal norms of special laws which were dealt with in the law on general penal provisions; the law on contract, court and execution taxes; the law on the notarial organization; the law on the administration of state property; the law on civil and military pensions, etc.

3 Official Gazette, no. 9, 1947.

of their issue) but *ex tunc*, i.e., from the day of the issue of the law subject to interpretation). Consequently, it ensues that the law of May 17, 1945 of the ANLC, irrespective of some inaccuracy in the formulation of Article 3 and, because of this inaccuracy, of the improper application of the provisions of the old Albanian state in the period May 1946-January 1947, considered the norms of the Zog regime only as guiding rules.

Thus the old law was on a whole liquidated, just as the apparatus of the bourgeois-landowner state had been liquidated during the war.

The problem of the application of the old juridical norms by the new socialist state is of special theoretical and practical importance.

In Soviet Russia, the old legislative acts as long as they were not in opposition to the decrees of the Soviet state and to the revolutionary juridical consciousness of the working people, continued to be applied and reference to them to be made for a period following the October Revolution; however, this period was very brief.

In some countries of people's democracy many norms of the old law have been used in different forms and for different length of time, especially in the first period after Liberation.<sup>1</sup> In the first, democratic stage of the development of the revolution in some of these countries, e.g., in the PR of Hungary, the more reactionary norms, or simply the fascist norms of the old bourgeois law, were abrogated, with the other part of the old norms remaining

1 For example, on February 19, 1947, the Polish Sejm approved the «Constituent Law» which incorporated many provisions of the 1921 Constitution. Likewise, many old juridical norms remained temporarily in force in the Czechoslovak Republic, in the German Democratic Republic, in the PR of Bulgaria, etc. But after some time, all the juridical norms of the pre-revolution period were abrogated, which in Bulgaria was done on November 9, with the approval by the People's Assembly of the «Law on the abrogation of all laws issued before September 9, 1944».



in force even after the transition to the second, socialist stage of the revolution, a stage which was interrupted with the coming to power of the counter-revolutionary revisionist groups.

However, a correct understanding of the conditions, character and limits of the application of the old norms as well as an analysis of this phenomenon in the general context of the class struggle between socialism and capitalism has major importance.

In regard to the conditions of the application of these norms, the view expressed by the Soviet jurist, M.A. Arzhanov, namely, that these conditions could be created and were actually created in those countries where before the revolution, before the liberation from the fascist yoke, there existed democratic norms which could be applied for the new revolutionary aims, is utterly baseless (as an example, the author mentions here the Czechoslovak Republic, the German Democratic Republic, Poland, etc.)<sup>1</sup>

What urged some states of the people's democracy to allow the temporary application of the old juridical norms was the lack of a new, revolutionary legislation and the urgent need for regulating social relations, not the democratic character of the old law. However democratic their content, the old juridical norms were still norms formulated in the conditions of the existence of the exploitative capitalist order and, as such, were in principle different from the new norms of the revolutionary power. Hence in our country only the urgent need for regulating the social relations allowed the temporary application of those norms which did not come into opposition to the new provisions and principles. Besides, it must be stressed that this was done not only in countries with a tradition of bourgeois democratic rule, like Czechoslovakia, but also in countries like Albania

<sup>1</sup> M. A. Arzhanov, *Gosudarstvo i pravo v ih sootnoshenii*. Izdatestvo Akademii Nauk, SSSR, 1960, Moscow, p. 250.

or Bulgaria, which had openly anti-democratic regimes in the past.

The wrong understanding of the conditions, character and bounds of the application of the old juridical norms has led to the spread of erroneous, essentially bourgeois-reformist, views, which are reflections of the theory of the «ceaseless», or «evolutionary», development of the law in the people's democratic order. According to this theory, in the countries of people's democracy, along with the new socialist law which emerged as a result of the revolution, the old bourgeois law (especially in the material law and in the law of civil and penal procedure) continued to operate to some extent. The supporters of this theory claim that peculiarities of juridical norms are their supra-class character, their possibility of application in different social-economic conditions and, in this respect their independence from the state order. So this theory is a distorted interpretation of the application of special norms of the old law, which as a matter of fact, started to play a different role in the new socio-economic conditions.

These views revise the Marxist-Leninist concept of the law as an expression of the will of the class in power, raised to law and determined by the material conditions of the life of this class\*, they present the law as an expression «of the general will of society», repeating the well-known theses of bourgeois and socio-democrat jurists.

Thus, taking no account of the distinctions of principle between the socialist law and the bourgeois law, the reformists and revisionists try to refute the fundamental theses of the Marxist-Leninist doctrine on the law, negate the revolutionary character of the socialist law and legality. As Marxism-Leninism teaches us, and as has been proved in practice, there can be no succession in the relationship between the socialist law and the

\* K. Marx and F. Engels, *Selected Works*, vol. 1, p. 36, 1958, Alb. ed.



bourgeois law because of their difference of principle, of their different role in society.

The theory of the «non-interruption» of the law leads in fact to the bourgeois theory of normativism, a theory which limits the concept of the law to the norm and pays no attention to the role of the state which creates, sanctions, and administers the law.

It must be pointed out that, exaggerating the «importance of principle» of the application of the legislative acts of the period before the revolution in the countries of people's democracy, a number of Soviet jurists have formulated counter-revolutionary conclusions in flagrant opposition to the Marxist-Leninist doctrine. So, for example, M.A. Arzhanov writes that this experience of the countries of people's democracy is of special importance for those countries where juridical institutions and democratic traditions exist or existed in the past like Britain, France, Italy and others. According to him, in France and Italy some constitutional laws have been adopted with the support or on the demand of the communist parties, and as a result respond to the interests of the masses of the people. He goes on to say, «It can well be imagined that the present Constitution of Italy would remain in force in the initial stage of the socialist revolution which would be carried out in a peaceful way, of course, abrogating such laws as are contrary to this Constitution.»<sup>1</sup> Hence, the «new revolutionary state power» «would introduce new life into the formally democratic Constitutions which do not longer function in the bourgeois countries today».<sup>2</sup> Besides, «within the bounds of the legality (emphasis is ours — L.O.) of these Constitutions and democratic constituent state institutions, revolutionary democracy would gradually and consistently carry out the more necessary and urgent radical transformations...»<sup>3</sup> These revisionist concepts cover up the

1 M. A. Arzhanov, op. cit., p. 249.

2 Ibidem.

3 Ibidem.

radical difference between bourgeois democracy and socialist democracy, between the bourgeois law and the socialist law, proceeding from the premise that there is an organic connection and a succession between them.

The ideological connection between these arguments of the Soviet jurists and the present-day theses of the Italian and French revisionists is very clear. Capitalizing on the so-called «structural reforms», or the evolution of present society, the latter do not hesitate to reject the notion of the dictatorship of the proletariat, thereby formally going even further than their predecessors, the Khrushchevite revisionists.

Despite differences conditioned by the differing circumstances in which socialist transformations have been carried out, practice, the experience of the socialist countries, our country included, has proved the correctness of the fundamental thesis of Marxism-Leninism that the socialist law, just as the socialist state, is born and develops not by remaining on the «legal basis» of the old law, but on the basis of the revolutionary struggle of the working class and the other working masses, of the liquidation of the old bourgeois state and law.

## CONCLUSION

The Albanian state of people's democracy successfully carries out the functions of the dictatorship of the proletariat and our law fully responds in its content to the content and functions of the state.

The experience of our country has proved the correctness of Marx's thesis expressed in *The Critique of the Gotha Program*, namely, that in the period of transition from capitalism to communism «the state... cannot be other than a revolutionary dictatorship of the proletariat.»\*

\* K. Marks and F. Engels, *Selected Works*, vol. 2, p. 23, 1985, Alb. ed.



Life has also proved the correctness of the prediction Lenin made before the October Revolution, namely, that this transition may be characterized by some peculiarities which express themselves in the forms of the political organization of society. «The forms of the bourgeois states may differ a great deal, but their essence is always the same: in one way or another... these states are necessarily a *dictatorship of the bourgeoisie*. The transition from capitalism to communism cannot of course fail to produce a great variety of political forms, but their essence will always be the same: dictatorship of the proletariat.»\*

The historical experience thoroughly proves the correctness of the thesis of the Marxist-Leninist theory that the processes of the socialist revolution and socialist construction are based on a series of fundamental laws which are valid for all the countries which set out on the socialist road. These laws appear everywhere along with the existence of a great variety of historically formed national peculiarities and traditions which must necessarily be borne in mind.

The concrete conditions and forms of the seizure of power by the working class and the transition to socialism depend on a series of factors, such as the national peculiarities, the specific character of the economic and political order, the level of organization and the capacity of the Marxist-Leninist party to provide leadership.

These original features of the revolutionary processes which take place in various countries and which, in various forms, lead to the dictatorship of the proletariat have their source in the unequal development of capitalism in the phase of imperialism and the different internal and external circumstances in which these processes take place.

However, despite the importance of the peculiarities of each country on the road of the revolution and, successively, on the road of the construction of socialism, the

features play a secondary role as against the principles and general laws of the socialist revolution. Contrary to the theories of the modern revisionists who reject these laws and general principles and give an exclusive role to the «specific national features», the Party of Labour of Albania has always abided by this important thesis of Marxism-Leninism.

An indispensable and decisive role for the transition to socialism, irrespective of the forms of this transition, is the leadership of the working class with its Marxist-Leninist party at the head. Acceptance of the leading role of the Party without which the socialist revolution cannot triumph is one of the fundamental characteristics which distinguishes the Marxist-Leninists from the revisionists, who deny the leading role of the party and even the need for its existence, claiming that «the socialist transformations» can be carried out through the organization of the working class in the trade unions. As Comrade Enver Hoxha says, «negation of the leadership of the Marxist-Leninist party means leaving the working class without its leading staff, totally disarming the working class in the interest of the bourgeoisie, betraying the working class.»\*

The dictatorship of the proletariat is necessary for the triumph of socialism and communism. The fundamental principle of this dictatorship is the alliance of the working class with the working peasantry, with the working class playing the hegemonic role. Without the dictatorship of the proletariat (which the Soviet revisionists have indirectly negated by proclaiming the transition to «the state of the entire people» and which the Italian, French and Spanish revisionists describe as an anachronistic and outdated notion) the final victory of socialism and communism cannot be guaranteed. As Comrade Enver Hoxha stated at the 7th Congress of the PLA, «the experience of the revolution and the construction of socialism in Albania proves that the dictatorship of the

\* V. I. Lenin, *Collected Works*, vol. 25, p. 488, Alb. ed.

\* Enver Hoxha, *Works*, vol. 14, p. 262, Alb. ed.



proletariat is necessary to the working class to suppress the resistance of the class enemies, old and new, and their efforts to restore the old order, to cope with the external danger, which comes both from the aggressive intentions of imperialism and social-imperialism to strangle and destroy the socialist order, with fire and steel, or with blockade and starvation, as well as from the ideological aggression of the capitalist-revisionist world which day by day sends its waves of degeneration and counter-revolution crashing against our shores.\*

The triumph of the socialist revolution and the successful construction of socialism can be guaranteed only with the liquidation of the capitalist property and the establishment of the social ownership of the main means of production. As Lenin has always stressed, seizure of power is only the starting point of the socialist revolution, it is a means to abolish the exploitation of man by man. The dictatorship of the proletariat is only a means of transition to the liquidation of all classes, the classless society. The content of the socialist revolution is the liquidation of the capitalist relations of production and their replacement with the socialist relations of production, by gradually transforming the small-scale goods production into socialist large-scale goods production, by the socialist transformation of agriculture through collectivization, on the basis of the principle of voluntarism.

Characteristic of socialist society is the great role of the state in the planned development of the economy, with the aim of building socialism and communism, and improving the standard of living of the working people. The centralized development of the economy is an objective necessity which arises from the development of large-scale industrial production. The more is it necessary in the socialist economy which is based on the social ownership of the means of production and in which the

objective law of the proportional and planned development of the economy operates.

Necessary for the triumph of the new order is the socialist revolution in the field of ideology and culture, the creation of a broad stratum of people's intellectuals loyal to the cause of socialism. The consistent struggle against the remnants of the bourgeois ideology, against the «blemishes» of the old exploiting order in the conscience of people, against all manifestations of bureaucracy, liberalism and conservatism which crop up as a result of the bourgeois and revisionist pressure and are different aspects of the class struggle, is a historical necessity to carry forward the socialist revolution, to bar the road to any possibility of the degeneration of socialism and the gradual restoration of capitalist relations.

The dictatorship of the proletariat must firmly defend the victories of the socialist revolution from the attempts of the overthrown classes, imperialism and, in specific circumstances, social-imperialism. Meanwhile, all along the line it must abide by the principle of proletarian internationalism, supporting unreservedly the struggle of the working class of other countries against the bourgeoisie as well as the struggle of the oppressed peoples against imperialism.

The whole development of the political, economic and ideological life in socialist Albania has been carried out on the basis of the general laws of the dictatorship of the proletariat. Because the PLA adheres to these laws, Albania is the only country in which genuine socialism is being built today. However, our state has some peculiarities conditioned by the historical circumstances in which the people's revolution and the transition from capitalism to socialism occurred in Albania. The original road of our people's revolution from which the state of the dictatorship of the proletariat eventually emerged in conditions completely different from the «classical» con-

\* Enver Hoxha, *Report to the 7th Congress of the PLA*, «8 Nëntori» Publishing House, Tirana 1976, pp. 17-18, Eng. ed.



ditions of the development of the socialist revolution, marked the whole road of the transition of Albania to socialism.

In a message addressed to the communists of Transcaucasia in 1922 Lenin says, «You must not copy our tactic but consider its peculiarities and causes as well as its conditions and results; in your own countries you must not apply the letter, but the spirit, the meaning and lessons of the experience of the years 1917-1921.»\*

Only a genuine revolutionary party which applies Marxism-Leninism in a creative way, in accordance with the conditions of the country could, in the course of three years from its founding, raise the people in struggle against powerful, and experienced enemies, could lead it to victory, to the establishment of the dictatorship of the proletariat, could lead it on the difficult but glorious road of socialism, as our Party did. Comrade Enver Hoxha says, «With the Party at the head, that Albania at which we rejoice today and which we must always unceasingly strive to make stronger and more prosperous, has been built.»\*\*

The broad social base of the dictatorship of the proletariat, the general arming of the people, which is thus transformed into a soldier-people, as F. Engels predicted, the implementation of the line of the masses, the realization of worker control, the all-round struggle against manifestations of bureaucracy and the constant increase of the leading role of the Party, are the factors which have characterized the development of the Albanian socialist state on the 40-year-long road it has traversed to this day. The great and unbreakable unity between the people, the state and the Party, which is

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\* V. I. Lenin, *Selected Works*, 1985, vol. 2, p. 754, Alb. ed.

\*\* E. Hoxha, *Report to the 7th Congress of the PLA*, «8 Nëntori» Publishing House, Tirana 1976, p. 22, Eng. ed.

the main source of the victories achieved by the Albanian people, has its roots in the National Liberation War, in the great people's revolution which made a definitive break with the past and opened up new historical prospects for the development of the People's Socialist Republic of Albania.

ANNEX



the main source of the victory achieved by the Albanian people, has its roots in the National Liberation War, in the great people's revolution which made a decisive break with the past and opened up new historical prospects for the development of the People's Socialist Republic of Albania, and its independence and its own destiny in our own country; in our own spirit, but the spirit, the meaning and lessons of the experience of the years 1917-1921.\*

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\* V. I. Lenin, *Selected Works*, 1955, vol. 2, p. 734, Alb. ed.

\*\* E. Hoxha, Report to the 7th Congress of the PLA, "3 Nëntori" Publishing House, Tirana 1976, p. 53, Eng. ed.

## RESOLUTION OF THE NATIONAL LIBERATION CONFERENCE OF PEZA<sup>1</sup>

September 16, 1942

### ANNEX

#### RESOLUTION OF THE CONFERENCE ON THE ELECTION OF THE NATIONAL LIBERATION GENERAL COUNCIL

The delegates who have come from all the regions of Albania and who represent all the trends of Albanian nationalism — the Communist Party of Albania, the nationalist youth, the communist youth and the Albanian young women, guided by the sacred ideal of the liberation of Albania from the heel of fascist Italy and the traitors sold out to the foreigner, after commemorating those who have fallen in the war against fascism, after a thorough examination of the situation in Albania and especially after expressing the desirability and necessity of the organization of all the Albanian forces for total engagement in the National Liberation War, arrived at the following conclusions:

We live in a world which is bleeding under the oppression of the black forces of fascism. Entire peoples and nations have been enslaved by the fascist barbarians. Two blocs, two diametrically opposed minorities are clashing today in this gigantic war which has already cost mankind millions of killed and wounded, which



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*September 16, 1942*

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has devastated innumerable towns and villages, which has destroyed the products of many centuries of human work and culture; on the one hand, the most barbarous and most oppressive tyranny the world has ever seen — the fascist tyranny, on the other hand, the Anglo-Soviet-American bloc<sup>2</sup> together with the enslaved peoples who are waging a just war to wipe the fascist plague off the face of the earth, for the freedom, independence and prosperity of all the peoples. The Treaty of 27 States signed in Washington<sup>3</sup> by America, Britain, the Soviet Union and the governments of the oppressed peoples, the Treaties of London and Moscow<sup>4</sup> and the efforts of the oppressed peoples themselves are a guarantee for our freedom and independence. We are living in a time when fascism has been mortally wounded, when the German army has lost millions of its best soldiers through the heavy blows dealt it by the Red Army, the Anglo-American armies and the enslaved peoples. Right from the beginning of the war and especially in its war with Greece the Italy of Mussolini showed what a fascist regime is worth, with an economy debilitated by thefts on the part of unscrupulous «hierarchs», with an army sent to the front by force, with a people who hate and sabotage the war. Precisely at a time when fascism was greatly weakened as a military and economic power, the bloc of the Anglo-Soviet-American allies is mustering large new armies to give it the death blow. *The second front is a question of weeks,<sup>5</sup> the national liberation wars are growing ever more terrible for the enemy.* On the Asian continent the Japanese imperialism is being dealt powerful blows by the national-revolutionary China, a sincere ally of the big Anglo-American democracies<sup>6</sup> and the Soviet Union.

Our Albania was among the first countries in Europe to suffer the tragedy of Italian fascist occupation. On the other hand, Albania was the first country in Europe to receive the occupier with bullets. On the black Friday of April 7 the sons of Albania showed Italian fascism that the Albanian people know how to die for their

country. The blood of our sons reddened the Adriatic shores of our country at Shëngjin, Durrës, Vlora and Saranda. Everywhere in Albania the people rose to arms, everywhere the Albanian youth called for arms, came out in protest demonstrations, strikes and other activities against the occupiers and traitors. Hundreds of patriots set out on the bitter road of emigration.

With treachery and violence and profiting from the wrong policies of the government of that time, a government which was very feebly linked with the Albanian people, a government which had isolated Albania and hung it both politically and economically on the rotten thread of Italian fascism, fascist Italy enslaved the country in order to have it as a bridgehead for the enslavement of the other peoples of the Balkans and a support in the bloody war fascism was waging.

With the arrival of fascist Italy villainy, moral and material torture, suffering, misery, imprisonment, persecution and internment set in. At the same time, however, set in the resistance of our people, at first passively and then through propaganda, agitation and demonstrations. In order to step up the terror and suppress the active resistance of our people the dirty fascist regime brought to power Mustafa Merlika<sup>7</sup>, an infamous traitor, an inveterate agent of Italian fascism. This black crow is that same old traitor of the Albanian people who tried by all manner of means to sabotage the Congress of Lushnja<sup>8</sup>, the Congress which laid for Albania the foundation of a state free from any external influence.

Behind the mask of nationalism, this traitor tried and is still trying to divide and beguile those nationalists and that section of people who did not know his past of betrayal. No sooner did he come to power than oppression, imprisonment, murder and hanging of Albanian patriots began. Through unscrupulous speculations our people were left without bread and robbed of their wheat, wool and livestock. The rapacious companies, linked up with the Luogotenenza<sup>9</sup> and the clique of speculators headed by the Merlika brothers are fattening on



the suffering of our people. Italian shareholders' companies and farming enterprises, the Agricultural Bank and the Bank of Naples, especially, are trying to get hold of the assets of our nation. In short, Italian capital is coming into possession of all the wealth of our country. On top of these villainies, Mustafa Merlika acknowledged to fascist Italy a debt of 3 million francs which were allegedly spent for the benefit of our people, while as a matter of fact they were spent for the military needs of the fascist occupier.

All these evil things have awakened our people. They are clearly seeing the treachery of Merlika who is relentlessly working for the enemy.

The ground is slipping more and more with each passing day from under the feet of fascism and traitor Merlika is being isolated.

This rascal with his stooges tried and is still trying to deceive the people with his demagoguery so as to keep them under the bondage of fascist Italy. He tries to dampen the healthy energies of our people who are joining their forces to deal fascism and the traitors the death blow. He is trying to deceive the people by saying that Kosova is liberated, but in reality Kosova is suffering under the same occupier. Fascism needs Kosova for its wheat and wealth. Kosova today has become a token for barter. Mitrovica and some other towns, which yesterday were supposed to be free under German protection, are today being given as a present to Nedić<sup>10</sup> who his supposed to be more zealous in the suppression of the National Liberation Movement of the Yugoslav people. Another part of poor Kosova is being sacrificed to Italian-Bulgarian schemes. That is the freedom that fascist Italy and Mustafa Merlika have donated to Kosova. That is why the people came to understand the bitter game of traitor Merlika.

Fascism and Mustafa Merlika tried and are still trying to split the people by presenting communism as a threat; but communism in Albania is no longer the terror of the honest part of our people, it is no longer

the terror of our peasant, middle class, intellectual; the communists are not men «without a country», as fascism wants to present them to the people.

All over Albania echoes the call for freedom, the people have taken up arms, and under the banner of Skanderbeg, are fighting fiercely against the occupier and its perfidious tools. . . The partisan guerilla units are carrying out many acts of sabotage and fighting actions in the various towns and villages of Albania. The Albanian people have given their martyrs to this war; fascism has hit and is hitting hard at all those, whether nationalists or communists, who are actually fighting against the occupier and traitors. The genuine foundations of national unity, the true foundations of the National Liberation Movement are being laid in the struggle against the occupier.

After this picture of the international situation and the internal situation of the country, after a lively discussion and exchange of opinions, the delegates of this Conference expressed the desire and determination of the Albanian people to continue their struggle *against the occupier*. The Conference has decided that the partisan *çetas* who are fighting under the banner of Skanderbeg should carry the partisan emblem, the red and black banner with the red star, as a distinguishing sign, while the voluntary *çetas* should carry only the red and black banner, as a distinguishing sign. The delegates expressed their will and determination to work for a sound organization of all the true Albanians, without distinction as to religion, region, class or political opinions, and elected the (Provisional) National Liberation General Council. The Conference expressed its hope and conviction that the Council would fulfil its duties, living up to the historical moments.

In the zones not yet liberated, the councils are organs for the conduct of the war, they unite all the people's liberation forces, carry on agitation and propaganda, lead the political struggle against the occupier; they mobilize the masses of the people for the liberation



struggle and collect materials and equipment necessary for the conduct of the war; the councils are *councils of the broad masses* and must gather the broad masses of the people around themselves. The councils collect arms and ammunition for the partisan and volunteer freedom fighters and provide food supplies for them; they popularize the National Liberation War, give information on the movement of the enemy, its forces, etc. The councils organize the press, propaganda, agitation, carry out acts of sabotage (by preventing the payment of taxes on grain, wool, etc.). oppose every interference of the occupier (through the banks, anonymous companies, monopolies, agricultural companies). Organized war against the Agricultural Bank, the anonymous companies that want to dispossess the peasants of their land, those who sell their land and make various concessions to the Italians. War on all those who make profit to the detriment of the people with the assistance of the occupier. The councils expose all speculators and the agents of the occupier; popularize the general uprising as the final stage, the conclusion of the partisan war: inform the public, working with men and women, old and young.

*In the liberated zones* the national liberation councils carry out state, not military functions, maintain law and order, wage war on the traitors, control the movement of individuals, combat crime, thefts, etc. In collaboration with the military organs, the councils wage war on the fifth column, look after the economy and the food supply, organize trade and finance; collect materials and equipment and food for the partisan *çeta* and volunteer units; develop education and organize the work of schools; ensure materials and equipment for the purposes of propaganda and agitation such as paper, printing presses, radios, etc. The councils mobilize the people politically for the National Liberation War, consolidate their power, combat all enemies and face up to all dangers. They organize trials of certain cases of minor importance; the councils must in particular, reconcile people involved in blood feuds, which is of particular importance especi-

ally now that the enemy is in our country. *The national liberation councils are very important.* They govern the country, they mobilize people for the war and uprising. Herein lies their importance.

The General Staff and the Conference which will elect the Provisional General Council of Albania will emerge from the war and in the course of the war.

This Conference is important because it unites the people in the war against the occupier.

The doors are always open to all genuine nationalists who are determined to fight for the liberation of the Homeland.

The *çeta* must assist one another in actions until the formation of the General Staff, which will coordinate their operations.

In their unanimous decisions the Conference and the delegates express the genuine unity of views of all political trends in the war against fascism. It is convinced that the views expressed as well as the tasks laid down above will be carried out with the sense of duty that characterizes the sons of Arbëria. It expresses its conviction that they will courageously and proudly follow in the footsteps of their forefathers, and give their blood to the last drop for the realization of the aspirations of our people and our martyrs who laid down their lives fighting like lions for the freedom of Albania; it expresses its conviction that work will go on tirelessly to prepare the people for the war, which will grow in scope and strength until it assumes the proportion of a general people's uprising.

**DOWN WITH FASCISM AND THE TRAITOR CLIQUE!**

**LONG LIVE THE ALBANIAN PEOPLE!**

**LONG LIVE THE UNITY OF THE ALBANIAN PEOPLE IN STRUGGLE AGAINST THE OCCUPIER!**

**LONG LIVE THE WAR FOR THE LIBERATION OF THE OPPRESSED PEOPLES!**



**LONG LIVE OUR GREAT ANGLO-SOVIET-AMERICAN ALLIES!**

**LONG LIVE THE NATIONAL LIBERATION COUNCIL!**

**LONG LIVE FREE, INDIVISIBLE, INDEPENDENT AND DEMOCRATIC ALBANIA!**

**THE PROVISIONAL NATIONAL  
LIBERATION COUNCIL**

September 1942

*Published according to the re-  
neotyped original at the Cen-  
tral Party Archives.*

**RESOLUTION OF THE SECOND NATIONAL  
LIBERATION CONFERENCE<sup>11</sup>**

8 September 1943

The 2nd National Liberation Conference in which delegates from all over Albania took part, was convened one year after the Conference of Peza to draw the balance of one year's work of the Provisional General Council and to elect the National Liberation General Council.

The Conference discussed the reports on the external and internal situation, the activity of the councils and their tasks in the current situation, on the development of the National Liberation Movement, the National Liberation Army, the «Anti-fascist People's Youth», the «Albanian Anti-fascist Women's Union» and elected the National Liberation General Council. The Conference reached the following conclusions:

I. The ratio of forces between the United Nations and the Axis has changed on all war fronts in favour of the United Nations, the initiative of operations is everywhere in the hands of the allies, the Anglo-American army has landed in continental Italy and is striking right into its heart; on the eastern front, the Soviet offensive on a front of 1000 kilometres is smashing the whole defence system of the German army which is heading for disaster. We are at the decisive phase of the war; the catastrophe for the Axis powers



is certain and the question is only how to accelerate this catastrophe.

In this situation Mussolini's tyranny has come to an end after 21 years. Exposed in Italy, beaten on all fronts, the Mussolini regime was toppled. However, the Badoglio government neither stopped the war initiated by fascism, nor did it shake off the German yoke which Mussolini brought on the Italian people, who after languishing for 21 years under Mussolini's barbarous tyranny, have risen today to demand peace, the ousting of the Germans from Italy and the uprooting of fascism.

The Albanian people welcomed whole-heartedly the war started by the Italian people. However they will continue their relentless struggle against the occupier until the last German or Italian soldier is expelled from Albania.

II. Since the Conference of Peza, the National Liberation Movement has assumed ever more vigorous development. The national liberation councils were set up everywhere in Southern and Central Albania. Conditions are being created for the setting up of the councils in Northern Albania, too.

The partisan and voluntary çeta, which initially could be counted on the fingers of one hand, increased in number and spread all over Albania, battalions and brigades were formed and the National Liberation General Staff was set up. Demonstrations in the towns and all over Albania in which thousands and thousands of people took part, the heroism of our comrades, awakened the people, mobilized and united them in the struggle around our Movement. The plans of the enemy to organize an Albanian fascist party, an Albanian fascist militia, the broad mobilization of the Albanian people in the Italian army, were foiled. The demagogical manoeuvre of the enemy about the creation of a «national» gendarmerie, etc., failed, too. Never had Albania seen such a major movement. Our çeta, battalions and brigades hit the enemy everywhere (Patos, Selenica, Fusha e Çapratit, Peza, Gjorm, Libohova, Përmet, Leskovik,

Qafa e Shtamës, Skërtera, Barmash, Vithkuq) and forced them to withdraw into the towns. Whole regions were liberated (Opar, Gora, Devoll, Mokra, Dangëllia, Zagoria, Luxhëria, Mesaplik, Dukat, Treblova, Topalltia, Mallakastra, Skrapar, Tomorrica, Çermenika, Martanesh, Peza, Shpat, Polis, Dumre, Gramsh, Qukës, Zaranika). Never had Albania seethed with such great enthusiasm and lofty heroism.

In front of this war the government of Mustafa Merlika came down like a castle of cards. In search for new slogans and methods, the enemy lost its bearings and began to change governments one after the other (4 governments in three months.)

Our war has won recognition the world over. Statements by Hull, Molotov and Eden which recognize Albania's independence<sup>12</sup>, are due only to our war, and to it only. The arrival of a British military mission to our country<sup>13</sup> put our National Liberation Movement in direct contact and collaboration with the Great Allies. Close contacts were established with EAM<sup>1</sup> in Greece and with the «National Liberation Committee» in Yugoslavia, with the staffs of the National Liberation armies in Greece and Yugoslavia...

The 2nd National Liberation Conference is proof of the vigour and extension of our war since the Peza Conference.

III. In the context of the whole international situation, and thanks to our successes, with the weakening of the enemy and the entry of the Germans into our territory a new situation has been created in Albania. We are on the eve of a general uprising. Therefore we must do our utmost to unite the whole people round the national liberation councils, to strengthen our National Liberation Army and our rear, and prepare and organize the uprising.

In this situation, the internal problem has special importance, because, along with growing reaction by

<sup>1</sup> National Liberation Front.



the enemy, home reaction, under the control of the Germans, has began to rally its forces and organize itself. Its reactionary tendencies are becoming more pronounced. Balli Kombëtar and its actions must be seen from this angle. All those who go cahoots with the enemy, who oppress and fleece the people, all the Albanian scum, all reaction are scrambling together. Therefore, today that we are at a crucial moment, it is more necessary than ever to maintain a clear-cut stand towards Balli Kombëtar and all the political trends and groups outside the National Liberation Movement (The League of Dibra<sup>14</sup>, etc). To this end, our political positions must be strengthened, pointing out the principles of our movement, the people must be mobilized as never before to rally around the banner of the Conference of Peza, around the National Liberation Movement.

IV. Balli Kombëtar emerged as a reaction to the National Liberation Movement, and with the position it maintained, with the work it carried out, it entered the circle of a large-scale manoeuvre (the government of Maliq Bushati, the «gendarmerie», etc.) set afoot by the enemy for demagogic purposes at a time when all its attempts to bind the Albanian people to the band wagon of the Italian imperialists under the banner of fascism and Mussolini's «empire» had failed. Besides this, people like Ali Këlcyra, Qazim Koculi, Sejfi Vllamasi, Rexhep Mitrovica, and others who became heads of Balli Kombëtar, and were put out of office by Mustafa Kruja later, had agreed with Mussolini's Italy to deploy the Italian army in Albania and enslave it. It must not be forgotten that, despite the differences between themselves, they collaborated with Mustafa Kruja to link Albania's destiny to that of fascist Italy and the Axis in general. On 7 April they were on the other side of the barricade, with fascist Italy against the Albanian people.

Under the mask of Albanian patriotism, under the mask of the fight against the occupier, under the mask of unity, Balli Kombëtar has hindered and sabotaged the

struggle of the Albanian patriots against the fascist occupier and has split the Albanian people. In flagrant opposition to the program it has proclaimed (to deceive its followers and the people), Balli Kombëtar has pursued a defeatist policy which serves the enemy. With its work, its propaganda, its slogans it has done a great service to Mustafa Kruja and Italian and German fascism. The anti-communist propaganda, the slander that the National Liberation Movement is allegedly a communist movement; the chauvinist propaganda about the Serbian and Greek threat; the propaganda efforts to divide the people into Turks and Giaours, Tosks and Ghegs; localist tendencies (do not meddle in this or that region); compromises with the enemy (the protocol signed by Dalmazzo and Ali Këlcyra on orders of the centre of Balli Kombëtar)<sup>15</sup>, its fascist and gangster-like methods against the people (collection of tithes with violence, compulsory conscription); admission to its ranks of a great number of criminals such as Isa Manastirliu, Hamit Matjani, Kajo Tresova, and others, of spies and agents of the SIM<sup>1</sup> such as Irfan Ohri; its provocations against the patriotic National Liberation Movement; admission to its ranks of speculators linked up with groups of Italian speculators; its ambiguous stand towards the Germans; its slanders against members of the National Liberation Movement, especially on questions of morality — this is what Balli Kombëtar is doing.

V. *Our stand towards the various political trends outside the National Liberation Movement.*

1. One of the main aims of the National Liberation Movement has always been the *unity of the whole Albanian people in struggle against the fascist occupier and its local stooges.*

2. In this war we have realized the unity of the Albanian people, however, part of them have remained under the influence of Balli Kombëtar and the other political trends, they have hindered and are still hindering our war against the occupier.

1 Servizio Informativo Militare (Information Military Service).



3. The struggle against the fascist occupier and its stooges, our resolute stand, our example, and the relentless exposure of all compromisers, those who in one way or another are sabotaging the war of the Albanian people, this is the only way to open the eyes of this part of the population to the reality, to win it over from the reactionary chiefs to our side in the war. In this manner we have succeeded in detaching soldiers, militiamen, gendarmes and others from the clutches of the enemy and its tools and throwing most of them in the fight against the enemy; and we shall continue on this road to the end in order to unite all the Albanian people. On the other hand, without allowing the slightest deviation from this course, we have tried and will try to see eye to eye with Balli Kombëtar and all the political trends outside the National Liberation Movement for total unity in the National Liberation Movement, on the basis of the principles proclaimed at the Conference of Peza. Besides, we have tried and will try to reach an agreement for collaboration in which each side will preserve its own independence. However, such an agreement and collaboration is possible only on the following conditions:

a) Immediate war without let-up against the Italian and German fascist occupiers.

b) Recognition of the alliance of the Albanian people with the Soviet Union, Britain and America; recognition of the alliance of the Albanian people with the peoples occupied by the Axis, and especially with the neighbouring Yugoslav and Greek peoples; recognition of the Atlantic Charter<sup>16</sup>, the treaties of London and Washington, which are the political base of this alliance. The question of Kosova and Çamëria will be solved on the basis of the Atlantic Charter, the principle of people's self-determination, and the greatest guarantee for its triumph is the war of the people of Kosova and Çamëria shoulder to shoulder with the Yugoslav and Greek peoples, against the fascist occupier, to wipe out Italian and German fascism, and together with them, all the imperialist and

chauvinist tendencies everywhere in the world, and especially in the Balkans.

c) Recognition of the national liberation councils, as the only people's state power in Albania.

d) Purging the ranks of elements linked up with the occupier, professional criminals, spies and killers, and all assassins or intended assassins of members of the army or of the national liberation councils.

e) Renunciation of anti-communist propaganda which is against the interests of the present war and democratic principles.

4. Collaboration and unity with all those who have been in the positions of the enemy, but have committed no crimes against the people and truly want to fight the Italian and German fascist occupiers.

VI. The 2nd National Liberation Conference approves the decision of the General Council which condemn the agreement reached between the delegation of the General Council and the representatives of the Balli Kombëtar<sup>17</sup> because the said agreement jeopardizes the main principles of the Conference of Peza, is in opposition to the interests of the war and the unification of the Albanian people. An acceptable agreement is possible only from sound positions towards Balli Kombëtar, as stipulated in point V of this Resolution.

VII. The Conference observes that the national liberation councils have done a great work to set up and consolidate the National Liberation Army, have inspired and provided political leadership for the Albanian people in their war against fascism and its local stooges.

Despite the great successes, the national liberation councils still have not become political organs of state power in the full meaning of the word. Besides, the links between the General Council and regional councils are not sound enough; centralism is weak and the higher instances have failed to exercise their control and give their proper assistance to the lower instances.

The Conference charges the new General Council with the task of:



1. Setting up National Liberation Councils everywhere in Albania.

2. Strengthening the councils from the organizational point of view.

3. Ensuring that the councils exercise their civil power in close collaboration with the commands of our National Liberation Army,

4. Distributing all the propaganda material, and doing explanatory work on them; organizing reading sessions and talks in meetings with the people and in the national liberation councils.

5. Strengthening links with and control on the entire organizational system of the councils.

6. Organizing different sections; the internal section, the section of finances, the press and propaganda section, the health section, etc. in the General Council.

7. Increasing assistance to the National Liberation Army and strengthening collaboration between the councils and the National liberation Army.

VIII. Give greater support for Anti-fascist Youth Union, the Anti-fascist Women's Union and the Anti-fascist University Students Union so that they be better organized in the general war of the Albanian people.

IX. All the religious communities must be called on to take part in the National Liberation War the Albanian people are waging today.

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printed copy at the Central  
Archives of the Party.*

## **CONSTITUTION AND REGULATIONS OF THE NATIONAL LIBERATION COUNCILS ENDORSED AT THE 2nd NATIONAL LIBERATION CONFERENCE**

*September 1943*

### **CONSTITUTION AND REGULATIONS OF THE NATIONAL LIBERATION COUNCILS**

From 7 April, 1939 the Albanian people began the war against Italian fascist occupiers, against traitors and all those who, in one way or another, collaborate with the enemy.

In these 4 years, the opposition and fight against foreign occupation has mounted, whole regions have been liberated, thousands of people have taken up arms to fight the enemy all over Albania. In recent times, the fighting has become extremely severe. With the smashing of the Axis powers on various fronts and the imminent opening of the second front, the time for a general uprising in Albania is drawing nearer. In these conditions, all the forces of the people must be mobilized to develop and intensify the National Liberation War.

Together with the *çeta* organized in a national army with their staffs and a general command, the national liberation councils must be made the main organs of the unification and organization of our nation in the sacred war for the liberation of the Homeland.



## CONSTITUTION

1. The national liberation councils are formed everywhere in Albania to assist the war of the Albanian people against Italian rule. In the liberated areas, they represent the civil state power of the country (administration, finances, public services, education, civil courts, etc.) and collaborate closely with the Staff of the National Liberation Army.

2. They fight for the liberation of Albania from the yoke of Italian fascism, for an *independent, democratic people's* Albania.

3. Private property and private initiative in industry and economy remain inviolable.

4. No radical changes in social life (customs, etc.) and in the organization of labour are envisaged.

5. Communal and state property are considered property of the national liberation councils of the respective territory. Private persons have no claim at all on this property.

6. Payment of taxes, tithes and fines, etc., in the liberated areas is suspended. Those who collect taxes, tithes and fines in the unliberated areas are considered people's enemies.

7. The national liberation councils, born in the heat of the struggle against the occupier, are the nuclei of the political power of the Albanian people. After wiping out foreign rule the people themselves will decide on the form of regime.

8. The task of the national liberation councils is to organize and ensure the collaboration all the Albanian people without distinction as to religion, region or party in the war against the foreign rule. To this end they reach agreement with all the anti-fascist national organizations, organize conventions to stop blood feuds in the time of the war, etc.

## REGULATIONS

1. The national liberation councils are democratic organs and the real power of the people which have emerged from the National Liberation War. They are elected democratically. All, without distinction as to political and religious views, except spies and traitors to the Homeland, have the right to elect and be elected to the National Liberation Councils.

2. The national liberation councils are formed in every village, commune, district (when there is one), sub-prefecture and prefecture.

3. The national liberation council of the village is elected by the general meeting of the village, with the participation of all men and women above 18 years of age. The partisans and volunteers have the right to elect and be elected even if they are under 18 years of age.

4. The national liberation council of the commune is elected by the delegates appointed by the village councils; that of the district or sub-prefecture, by the delegates of communes, and that of the prefecture by the delegates of sub-prefectures.

5. The delegates appointed by the councils of prefectures elect the National Liberation General Council.

6. The elections are open and votes are taken by a show of hands. In the prefectures the commission for elections of the national liberation councils is nominated jointly by the General Council and the army staff. In sub-prefectures, regions, communes or villages the election commissions are appointed by the higher instance.

7. The village council depends on that of the commune, the commune council on that of the sub-prefecture and the prefecture council on the National Liberation General Council.

8. Every council of village, district or sub-prefecture elects a three-member executive committee made up of a chairman, a secretary and a cashier. The prefecture council has a five-member committee which is made up



of a chairman, a secretary, a cashier and two members.

9. The National Liberation General Council has 15 members.<sup>18</sup> As an executive organ, the General Council elects its leading committee of 8 persons, with a secretariat made up of 3 persons. The meetings of the Council and the Leading Committee are presided in turn by all the members of the Standing Committee.

10. The general meeting for the election of the new council is held upon the demand of one third of the electors; elections are held when the majority is in favour of it. One fourth of the delegates of the communal council may demand the dismissal of the regional council, and one fourth of the delegates of the regional council may demand the dismissal of the sub-prefecture council, one fourth of the delegates of the sub-prefecture council may demand the election of a new sub-prefecture council, and one fourth of the delegates of the prefecture council may demand the dismissal of the National Liberation General Council.

### THE TASKS OF THE NATIONAL LIBERATION COUNCILS

1. In the regions occupied by the enemy, the national liberation councils assist the National Liberation Army materially and morally, organize and lead the struggle of the people against the occupier.

2. In the liberated areas, the old organs of state power such as the municipal office, the prefecture, courts, police, the gendarmerie, communes, the finance office, etc., are immediately suspended from any activity, on account of their support for the occupiers and their agents. This does not mean that the honest and patriotic elements of the old administration are excluded from the new organs of state power; this point must be considered carefully. The national liberation councils, as democratic organs of state power, have all the administra-

tive, executive, juridical and other functions except those of a military order.

3. The national liberation councils take the necessary measures to mobilize the broad masses actively in the National Liberation War.

4. The national liberation councils have, in particular, the task of bringing all political, religious and other views in accord with the main aim of the unification of all the people against the occupiers and traitors.

5. The national liberation councils, in close collaboration with the commands of the National Liberation Army, take all the measures for the supply of the army with food, clothing and other things. To this end, they prepare the people to make all necessary sacrifices for their National Liberation Army.

6. In case of need, the national liberation councils call to their assistance guards from the local or village partisan or volunteer units which are subordinated to the regional command.

7. The national liberation councils assist the military power to pursue spies, traitors and secret agents in the pay of the enemy. The people's enemies are tried by military tribunals on the demand of the military power, but the national liberation council is to supply all details it knows about them.

8. The national liberation councils combat plunder, crime, theft, violations of law and order and any other kind of ordinary crime.

9. The national liberation councils must energetically combat murders and blood feuds, patiently explaining to the people that these acts serve the occupier and are to the detriment of the people and the National Liberation War. It is their duty to assist the local commands to capture the culprits.

10. The national liberation councils settle all differences among peasants and townspeople, all complaints within the competences of the courts which have been lodged from the beginning of the National Liberation War.



11. The national liberation councils raise the fighting spirit and discipline of the people and prepare them for sacrifices.

12. The national liberation councils organize the food supply of the population and assist especially the children of the partisans and volunteers and of those fallen in this sacred war, the children of prisoners, exiles and those who have been made homeless by the occupier.

13. They control very carefully the food supply from the liberated areas and try by all manner of means to prevent the occupier from getting the slightest thing from the liberated areas.

14. For the supply of the National Liberation Army the national liberation councils create national liberation funds from aid collected among the people in the form of food, money, clothing, etc.

15. On request from the military power, the national liberation councils are authorized to make requisitions from the rich.

Such requisition will be considered as state loan against the owner's certificate specifying the kind and quantity of the requisitioned material. Likewise, on request from the military power, they mobilize the people in useful work, such as making shoes and clothes for the National Liberation Army, etc. Means of transport may be requisitioned, too. It is important that all these things are done voluntarily and only when there is no alternative the authorities should step in; the burden must be distributed fairly, no-one should be expected to give more than he can afford. In particular, the poor must not be overburdened.

16. The National Liberation councils deposit in the national liberation funds all the property of people's enemies which is left after the army has taken its part.

## THE NATIONAL LIBERATION FUND

The extent of the contributions to the National Liberation Fund shows the readiness of our people to make material sacrifices. The National Liberation fund will be the most significant expression of the strong ties between the rear area and the front, therefore, the contributions to the fund of the National Liberation Army enable us to see how much disposed are the people to assist their National Liberation War. Every national liberation council will have such a fund which collects:

1. All donations from the people in clothing or money for the National Liberation Army, for families without breadwinners, who may have fallen in the war or may have joined the ranks of the army, for the homeless, for the families who have fled from the occupied areas to the liberated areas, as well as for the poor.

2. All clothing and money which the fund will collect in other ways.

3. Everything, including money, contributed to councils' funds, as well as collections made by the representatives of villages of town quarters must be handed over to the national liberation council of the commune which, in turn, deposits it in its national liberation fund, that is, in its depots and safes. The cashier of the national liberation council of the commune has a national liberation purveyor and storehouse keeper subordinated to him, is directly responsible for his deposits and is prohibited from spending anything without the decision of the council. Every month or more often, if necessary, the national liberation councils or village representatives should report to the national liberation council of the commune on the income and, at the same time, deliver it to the said council. The national liberation council of the commune deposits its fund in the national liberation fund of the sub-prefecture after withholding 30 per cent of it for eventual use as aid to refugee families, for fighters' families, which is duly reported.

4. The storehouses of the national liberation council of



the sub-prefecture are the biggest, because for technical reasons, it is impossible to create them in the prefecture.

5. The national liberation council of the sub-prefecture reports to the national liberation council of the prefecture on the situation of the national liberation fund, and the latter, in turn, reports to the section for the national liberation fund at the National Liberation General Council.

### SUPPLY OF THE NATIONAL LIBERATION ARMY

The National Liberation Army is supplied, first of all and basically, by the people through their contributions, as well as partly through purchases for cash. Purchases for the Army are made by the national liberation council or the army intendent.

I. 1. *Collection of aid*: Aid is collected from all the people irrespective of their economic situation, since everyone has something, however little, to give. All contributions should be recorded, and if possible, publicized.

2. The surplus, if any, is either donated to the fund or sold to the national liberation council or the National Liberation Army; in some cases the national liberation council or the army intendent can force the purchase, that is, take the material and pay for it immediately.

3. National liberation councils of the village or the commune purchase foodstuffs and other necessities for the army with the money drawn from the national liberation council of the sub-prefecture or the military power of the country. Prices are set by the national liberation council of the commune in agreement with the military power.

II. 1. *Requisition* is buying without paying on the spot. For requisitioned livestock or food (or other articles), the national liberation councils or the military administration issue a regular receipt signed by the per-

son in charge. The receiver will be duly paid on the basis of the receipts.

2. The receipt must specify clearly the name of the owner, the time of the requisition, the price for every single article, the quantity and the total value of the things requisitioned. Receipts are handed to the supreme military command or the national liberation council of the sub-prefecture for payment. All requisitions without exception are made on demand and account of military commands.

3. Requisition is carried out in cases of emergency or in cases of momentary scarcity of ready cash.

4. Requisition is made, first of all, of surpluses of rich peasants and town dwellers.

5. The national liberation council or the military administration may requisition livestock or draught animals for transportation of food or other material as well as horses to use for a short time. Receipts must contain precise notes as to the kind of livestock, the person requisitioned, the reason and the length of time for the horse borrowed and a detailed description of the animal.

6. On account of the military administration, the national liberation council requisitions weapons from those unfit for action against a receipt containing the characteristics of the weapon and its serial number.

7. When the requisitioned things or means of transport are damaged or lost, the owner is re-imbursed to the amount determined by a commission set up by the national liberation council.

III. 1. *Goods exchange*: The military administration jointly with the National Liberation Council, organizes the exchange of overstocks of things collected for the National Liberation Army, with things needed by the peasants.

2. After supplying the National Liberation Army and the families of the peasants to repair the burnt houses, the national liberation councils in their respective regions must open shops to sell the remainder.



## CONFISCATION OF THE PROPERTY OF THE ENEMIES OF THE PEOPLE

The national liberation councils as organs of the democratic people's power, confiscate the property of all the enemies of the people: gendarmes in active service, militiamen entirely in the service of the occupiers, spies, traitors, etc.

Confiscation is carried out by the military administration or the military tribunal on the proposal of the national liberation council or on the basis of its military function. In this way, the national liberation council of the commune, with the help of the national liberation council of the city quarter or its representatives, are duty-bound to investigate every event in detail, keep records of all the solid or liquid assets of the enemies of the people, both when they are shot by the National Liberation Power and when they have fled to the occupied territories. The national liberation council of the commune informs itself about these problems and proposes the act of confiscation to the national liberation council of the sub-prefecture, or the local command.

All the confiscated, solid or liquid assets become property of the people and are deposited in the National Liberation Fund, that is, are under the control and management of the national liberation council (of the commune or the sub-prefecture). There where the council is not yet set up, the confiscated property is temporarily managed by the military administration. The military administration withholds from the confiscated property of the enemies of the people what is most necessary for the army. The national liberation council should report the facts on which they proclaim this or that person an enemy of the people and decide the confiscation of his property. The national liberation council is responsible for the veracity of these facts.

If a family has fled for fear of being killed in the war or in the bombing and no one of its members is an

enemy of the people, spy, gendarme, militiaman, etc., then its property is not confiscated. The national liberation council, in the quality of care-taker of such solid and liquid assets, grants other families, victims of the fascist occupier the right to the temporary use of this family's solid assets, while the liquid part of the assets is deposited in the fund of the national liberation council and used, in the first place, for the army and the people. Any such appropriation is temporary, until the owner returns. In the cases of confiscation of the property of enemies of the people whose families remain at home, the national liberation council, always in agreement with the local military administration, should reckon to leave to the family part of the property necessary for its subsistence, while the remainder goes to the National Liberation fund on the basis of the decision of the military administration or the military tribunal.

The entire confiscated property of a commune is under the control and management of the national liberation council of the commune which keeps regular records and reports to the national liberation council of the sub-prefecture which, in this manner, has overall control of the entire property of the sub-prefecture. After checking up on the situation of the property, the council of the sub-prefecture decides which family is to use that property. The families left homeless by the occupiers and the families of the fighters have first priority.

Enemies of the people, whose property is confiscated, are, 1) all gendarmes and militiamen in active service, as well as their aides and organizers; 2) all those who serve the occupiers as spies, couriers and agitators; 3) all those who, in different ways, collect weapons, be it even from among the people for the occupiers; 4) all those who have betrayed the National Liberation War and have compromised with the occupier; 5) all those who avoid the people's power and work for the occupier; 6) all those who spread rumours and panic among the people; 7) all those who engage in disruptive activity in and defect from the ranks of the National Liberation Army;



as well as those who kill and plunder in the liberated zones.

We must be careful not to consider enemies of the people those peasants and town-dwellers who have been misled by the occupier or its servants, by those who recruit and organize forces for the militia and the gendarmerie. All state buildings and governmental property as well as hospitals, drug-stores and especially medications needed by the army are under the control of the military power.

### ON CRIMES

1. The national liberation councils are duty-bound to reconcile blood feuds and old enmities by organizing popular assemblies and meetings. The councils must devote special care to this.

2. The punishment for murders for political and other reasons is death. Whoever kills or makes an attempt at the life of a partisan or member of the national liberation council is sentenced to death as an enemy of the people. The property of murderers for political and other reasons is confiscated. The members of the murderer's family are also condemned to death if they are implicated in the murder. If the sentenced person is nowhere to be found and the members of his family have participated in the crime, they are all sentenced to death.

3. Murder for ordinary reasons is punished by death. If the murderer does not surrender himself to justice, then draconian measures are taken against his family, from burning his home and confiscating his property to the imposition of the death penalty on the members of his family if they have participated in the crime.

4. Those who shelter criminals are liable to be sentenced to death.

5. Killing for moral offense is punishable like all other killing, although *extenuating circumstances* and the

local customs may be taken into consideration, always in connection with the interests of the National Liberation War.

6. Larceny to the detriment of the National Liberation War entails the death penalty. Ordinary cases of thefts are punished according to the degree of the damage.

7. Draconian measures, from imprisonment to capital punishment, are taken against speculations.

(Adopted by the 2nd National Liberation Conference of Albania)

*Published according to the printed copy  
found at the Central Archives of the Party*



**LETTER OF THE STANDING COMMITTEE OF THE  
NATIONAL LIBERATION GENERAL COUNCIL IN  
CONNECTION WITH THE ESTABLISHMENT OF  
THE STATE POWER OF THE NATIONAL  
LIBERATION COUNCILS ALL OVER THE COUNTRY**

*September 23, 1943*

**STANDING COMMITTEE OF THE NATIONAL  
LIBERATION GENERAL COUNCIL  
TO ALL THE NATIONAL LIBERATION COUNCILS**

Some days ago we sent you the Constitution and the Regulations of the National Liberation Councils adopted by the 2nd National Conference of the Anti-fascist National Liberation Council. This constitution and regulations will instruct and help you about establishment of the state power of the National Liberation Councils, will assist every council to carry out its onerous burden. However, we think it is not out of place to add some instructions in connection with the first directives which you must have in consideration during the work you will carry out in the different situations which will arise.

In the first place, you should not forget that the national liberation councils are the sole state power which must be established all over Albania as a true ex-

pression of the will of the people. This state power should be defended by every means, in every region and under any circumstances, because it will be the only state power which will fulfil the aspirations of the people yearning for freedom and justice.

The national liberation councils must be set up in every liberated zone and strengthened (by increasing the number of their members with resolute elements engaging the love of the people). In those places where the councils do not yet exist, they should immediately be created in the most democratic manner, through broad popular conferences on the basis of the rules laid down by the National Liberation General Council.

In the zones liberated from the occupiers where people's councils already exist, these should seize state power, organize and normalize the situation with the help of all those patriots who for four years on end, making light of all sacrifices, have been fighting the occupiers and their tools. These councils should prepare the ground for new elections in which the entire people should take part.

The role of the state power which we are setting up and which is being built with so many sacrifices and bloodshed, is very broad. Apart from their main task of assisting the Front by every manner of means, the councils have also the task of organizing the rear with all the competences ensuing therefrom. In both towns and villages the national liberation councils should organize and direct the entire social life in the best possible way and with the greatest justice, so that the new administration has nothing in common with the former administrations which oppressed and exploited the people to the bone. That is why we must be particularly careful in our first steps in this field, which will ensure our success and win us the trust of the people. As a result of the correct implementation of the Constitution and Regulations and of the greatest possible justice in our work, the people will choose the truly suitable regime for them, the people's democratic regime.



The current events should in no way confuse us and make us lose our bearings in the situations which are being created, on the contrary, we must always have the ability to control any new situation. With the establishment of our state power we must abolish any form of the old state power which up to now has been in the service of the occupier, as for example, the municipality, the prefecture, the gendarmerie, etc. The councils should take over the state administration in all fields and divide the work in different sections at the head of which should be placed people tested in the war and enjoying the trust of the people. They should be assisted by those elements who have not compromised themselves through collaboration with the occupier even if they have been employees of the former state administration. These sections (education, municipal construction, finance, post telegraph services, internal affairs, health, etc.) should control all activity in the country and run affairs in the interests of the people. As to military administration, local commands must be set up to maintain law and order and enforce the decisions laid down by the Council. The national liberation councils should engage in large-scale propaganda activity through their propaganda sections; they should organize broad conferences to make it clear to the people that they should take an active part in the armed struggle against the occupiers and the local traitors and defend and extend the power of the national liberation councils.

Merciless war should be waged against any attempt of the reactionary elements in the pay of the enemy to regain power and restore a government which would bring again only misery and suffering to the people. Merciless war should also be waged against the attempts of Balli Kombëtar to make profit from the blood of the Albanian people and bring to power some reactionary clique which will certainly restore the regime of darkness.

The manoeuvres of the German occupiers to set up committees and assemblies which would proclaim the

independence of Albania «guaranteed by the Reich» should be exposed among the people so that they are not misled by the lies of the tools of the Germans who have barbarously massacred our women and children.

You must realize that close ties between you and us will help us a great deal in our work. Therefore we call on you to maintain close contacts with us and inform us about everything which goes on in your regions and always ask for our help, which will be given you immediately. Centralization of work is one of the prerequisites of victory.

## THE STANDING COMMITTEE OF THE NATIONAL LIBERATION GENERAL COUNCIL

*Published according to the original  
at the Central Archives of the Party.*

## DECISIONS

OF THE 1st MEETING OF THE ANTI-FASCIST NATIONAL LIBERATION COUNCIL

The Anti-fascist National Liberation Council, as the main legislative and executive body which represents the sovereignty of the Albanian people and State in the time of the National Liberation War, elected its Standing Committee which is composed of the chairman, 3 vice-chairmen, 2 secretaries and 24 members.



**DECISIONS OF THE 1st MEETING OF THE ANTI-FASCIST NATIONAL LIBERATION COUNCIL ABOUT THE FUNCTIONS AND TASKS OF THE GENERAL COUNCIL, THE STANDING COMMITTEE OF THE ANTI-FASCIST NATIONAL LIBERATION COUNCIL AND THE ANTI-FASCIST NATIONAL LIBERATION COMMITTEE**

*May 26, 1944*

**THE ANTI-FASCIST NATIONAL LIBERATION  
GENERAL COUNCIL**

**D E C I S I O N S**

**OF THE 1st MEETING OF THE ANTI-FASCIST  
NATIONAL LIBERATION COUNCIL**

**I**

The Anti-fascist National Liberation Council, as the main legislative and executive body which represents the sovereignty of the Albanian people and State in the time of the National Liberation War, elected its Standing Committee which is composed of the chairman, 3 vice-chairmen, 2 secretaries and 24 members.

**II**

On behalf of the Council the Standing Committee of the Anti-fascist National Liberation Council represents the sovereignty of the Albanian state and people and exercises its legislative and executive function in the period between two meetings of the Council, to which it renders account for its work.

**III**

The Standing Committee of the Anti-fascist National Liberation Council nominates the Anti-fascist National Liberation Committee which is comprised of the chairman, two vice-chairmen and 11 members in charge of departments.

**IV**

The Anti-fascist National Liberation Committee has all the attributes of a provisional people's government. The Committee renders account for its work to the Anti-fascist National Liberation Council.

**V**

The Anti-fascist National Liberation Committee is the supreme executive and legislative organ of the people's power in Albania through which the Anti-fascist National Liberation Council realizes its executive function.

**VI**

Proceeding from the fact that the National Liberation Movement will develop more and more and whole regions



occupied by the enemy will be liberated, the Anti-fascist National Liberation Council grants the Standing Committee the right to coopt new members.

26.V.1944

## THE ANTI-FASCIST NATIONAL LIBERATION GENERAL COUNCIL

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Council, 1944.*

## DECISION OF THE 1st MEETING OF THE ANTI- FASCIST NATIONAL LIBERATION GENERAL COUNCIL ON THE PROHIBITION OF KING ZOG'S RETURN TO ALBANIA

May 26, 1944

### THE ANTI-FASCIST NATIONAL LIBERATION GENERAL COUNCIL

#### DECISION

of the 1st Meeting of the Anti-fascist National Liberation Council on the prohibition of King Zog's return to Albania until the complete liberation of the country.

Bearing in mind that Zog came to power by force, against the will of the Albanian people, and that during all his rule he resorted to the blackest terror, killing and imprisoning the finest sons of the country;

bearing in mind that the Zogite regime was as anti-popular regime which for 15 years on end suppressed all the progressive forces of our people;

bearing in mind that Zog ruined the national economy and put Albania in the complete economic dependence of fascist Italy, through the economic accords with it;

bearing in mind that the predatory regime of Zog caused our people to live in such poverty and hunger as have never been seen in our country;



bearing in mind that Zog betrayed the Homeland and prepared the coming of Italian fascism to Albania by accepting Italian organizers of the army and the youth, and by granting various concessions to Italian companies;

bearing in mind that when Zog ought to have taken up arms to fight the occupiers, he fled together with part of his clique, taking away all the gold plundered from the people;

bearing in mind that while the Albanian people and patriots are fighting and laying down their lives heroically for the freedom of the Homeland, the traitorous remnants of his clique are still trying to hamper the National Liberation Movement and, through their collaboration with the enemy, have entered into direct conflict with the National Liberation Movement of the Albanian people;

bearing in mind that the tools in the service of the Zogite regime who have remained in Albania and rallied round the banner of Zog and Legaliteti, under the leadership of Bazi i Canës, have betrayed the movement of the Albanian people and together with the occupier are fighting the National Liberation Movement;

The Anti-fascist National Liberation Council, expressing the will of the Albanian people, decided:

# I

Zog is prohibited from entering Albania since his question and that of the regime will be decided by the people themselves after the Liberation of the country.

# II

All agreements with foreign states should be re-examined, the economic and political relations established by the government of Zog to the detriment of the Albanian people should be broken off and replaced by new ones.

# III

All international agreements or relations established by the reactionary cliques, as a political group or a government inside or outside the country, are null and void.

26.V.1944

## THE ANTI-FASCIST NATIONAL LIBERATION GENERAL COUNCIL

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**DECLARATION OF THE 1st ANTI-FASCIST  
NATIONAL LIBERATION CONGRESS OF THE  
NATIONAL LIBERATION WAR OF THE  
ALBANIAN PEOPLE AND THE DECISIONS  
TAKEN AT THE CONGRESS**

*May 28, 1944*

**D E C L A R A T I O N**

May 24, 1944 is a major historic day for the Albanian people. In this glorious stage of our National Liberation War, the 1st Anti-fascist National Liberation Congress which crowned the heroic struggle of our people, was held in the liberated town of Përmet. For the first time in their history, the Albanian people have been represented by their delegates, elected democratically, delegates who have emerged from the war waged by our people against the occupiers and the traitors to the country. For the first time in their history, the Albanian people have solemnly expressed their free and democratic will.

With their fierce war and great bloodshed the Albanian people have scored major and glorious victories, laid the sound foundations of their democratic power, consolidated and strengthened the National Liberation People's Army. Our people have responded to the attempts of the enemy to destroy the National Liberation Movement by consolidating the National Liberation Front

ever more and closing the ranks of their glorious army. Battalions and brigades have been set up, and divisions are in the process of formation. These big military formations have become the terror of the enemy; vast zones are being liberated with each passing day.

The three foreign ministers of our allies, Eden, Molotov and Hill solemnly recognized our right to be independent. Unfortunately, our war is not properly recognized in the world, but we hope that all our friends will soon have a better idea of it. The Italian government, too, declared that it has no ambitions towards Albania.

The 1st Anti-fascist National Liberation Congress has extraordinary importance because it emerged from the Anti-fascist National Liberation Council, the supreme legislative and executive organ of our people, and the Anti-fascist National Liberation Committee, the main executive organ, with the attributes of a provisional government.

In these historic moments for our country, the Congress laid down the correct line of our policy and war, which with the great proportions it has assumed today requires a new leadership to pursue to complete advantage the successes of the National Liberation Movement.

In its first meeting held on 24 May 1944, the Anti-fascist National Liberation Congress

**O B S E R V E S**

**I**

Betrayed by their rulers and politicians in exile, the Albanian people could not respond to the Italian occupier with immediate war. The Communist Party showed our people the road of liberation and when the long-awaited movement began, the Party led them along the correct



way of unity in war, took the initiative and organized the Conference of Peza where the sound foundations of the National Liberation Front were laid.

Everywhere in Albania systematic war broke out, partisan *çeta* were set up and organized, grew in numbers and were consolidated in the course of ceaseless and fierce fighting. Within a short time, national liberation councils were set up in various regions of Albania. Whole zones were cleared of occupiers.

Following the Conference of Labinot, the war of our heroic army against the German occupier, more ruthless both at demagoguery and oppression, and more experienced in organizing internal reaction, becomes ever fiercer and our army grows in numbers and is organized in battalions and brigades, the people close their ranks more firmly round the National Liberation Front, and the national liberation state power is consolidated more and more.

The fierce, ceaseless National Liberation War against the nazis put the local reactionaries in a new position towards the occupier. They are obliged to throw off their masks and collaborate openly with the occupier, to participate in all the crimes it perpetrates, and to fight together with it.

Under the correct leadership of the National Liberation General Staff, our army inflicted successive blows to the occupier and its stooges, the criminal bands of Balli Kombëtar and the mercenaries of the quisling government and the Regency.

The great offensive of winter 1943-1944, launched by the German occupier and the local traitors in order to destroy our army and the national liberation state power, failed in the face of the heroic resistance of our partisans and the enemy was forced to retreat with heavy losses. Our national liberation state power was further strengthened and other zones were liberated from the claws of the hated occupiers and purged of the traitors of Balli Kombëtar.

In the course of the furious enemy offensive, our

army not only was not routed, but, on the contrary, was further strengthened and enlarged. The Albanian people were united, became a single steel block in their National Liberation Front. There is no other party or Front apart from the Communist Party and the National Liberation Front as the enemies claim in order to cause disruption. The sacred ideal of the liberation of the Homeland is the guiding spirit of the Front. The National Liberation Movement awakened the people and created the conditions for the building of the new democratic Albania. The extension of the liberated zones, the broad mobilization of the masses of the Albanian people in the National Liberation Front, the enlarging and especially the strengthening of our army, the extension and consolidation of the national liberation councils, the great enthusiasm and drive of the people who are extending their uprising for national liberation face us with greater tasks to solve the day-to-day problems and to continue the war with success.

## II

The Italian occupier endeavoured to mobilize reaction around the quisling government of Tirana. The German occupier knew better how to increase the ranks of and organize this reaction against the National Liberation Movement. The Council of the Regency, with the arch-traitor Mehdi Frashëri, and the government of Mitrovica-Deva set up by the Gestapo became the mainstay of the reactionary cliques all over Albania.

Balli Kombëtar became the tool of the occupier. While we are working to liberate Albania, while we are fighting, Balli Kombëtar betrays and thinks only of betrayal, of how to fight against our war. With its policy it has become an important tool in the hands of the occupier in order to provoke a fratricidal war. The grave responsibility for inciting fratricide lays with Balli Kombëtar. In Kosova it has worked to mobilize forces against



the National Liberation Movement of Albania and Yugoslavia. With its policy and actions Balli Kombëtar assists the Germans, its anti-Soviet stand places it on the other side of the barricade, against the anti-fascist block. Some stands of Balli Kombëtar, allegedly in favour of the Anglo-Americans, are mere demagoguery. In everything it does it toes the German line. Its chiefs like Lumo Skëndo and Ali Këlcyra are hatching up new betrayals, in which all traitors are involved. They want to grab the fruit of the toil and blood of the people, to turn the results of the heroic war of the people to their advantage. However, the powerful blows of the arms of our people will smash this great betrayal.

The fellow travellers of Balli Kombëtar on its road of betrayal are Legaliteti and other reactionary traitors.

Let everyone know that Balli Kombëtar and Legaliteti, Merlika, Vërlaci and Kolë Biba, and all the traitors and war criminals will answer for their crimes. No one should illude himself with the idea that the criminals will escape or remain undiscovered.

The reactionary clique of the regime of Zog, rallied around the banner of Legaliteti, is collaborating closely with the German occupiers. They have joined forces with them and with the other reactionaries to fight the National Liberation Movement. Legaliteti recruits mercenaries and gendarmes to terrorize the people and to fight our army. It has participated in the administration of the quisling government of Tirana and identified itself with the gendarmerie. It is striving to pave the way for the restoration of the Zogite regime.

Zog came to power through force against the will of the people and in the fifteen years of his rule he maintained a regime of oppression and terror, trying to bar our people's way to progress and to make Albania an estate for himself and his clique. By oppressing and impoverishing the country, by putting themselves in the service of fascist Rome, by granting economic, political

and military concessions to Mussolini, Zog and his clique prepared the occupation of Albania by Italian fascism.

Through their delegates to the 1st Anti-fascist National Liberation Congress, the Albanian people expressed their desire and will to establish a new order which will be the sound guarantee for tomorrow, in which democracy triumphs and Zog's regime does not repeat itself.

Recently, internal reaction has been making especially great efforts to create and strengthen its links with the reactionaries of the other countries of the Balkans, so as to find support against the National Liberation War now that it is clear that Germany is being defeated.

The development of events shows clearly that the National Liberation Movement represents the interests and embodies the will of the Albanian people, therefore in order to guarantee their victories it is necessary to establish the state power of this movement as the only state of the Albanian people. From the development of events it is clear that our heroic National Liberation Army, which has dealt ceaseless blows to the occupiers and the traitors, is the glorious weapon which will bring and ensure our people the long-awaited freedom.

The Albanian people have rallied totally round their army, which is the only defender of their interests.

### III

The heroic war of the famous Red Army, led by the brilliant strategist, Marshal Stalin, drew the main forces of the Hitlerite armies and the satellites on to the Eastern Front, drained fascism of its manpower and enabled the oppressed peoples to rise in National Liberation Movements. This is the greatest aid given our people throughout their history. Our people will be forever grateful to the Soviet Union for this aid.

Great Britain and America with their large-scale bombing of German objects all over Europe, including



Albania, and with their successful offensive in Italy, which shows the capability of the allies to hasten the destruction of Germany with the opening of the second front, and the oppressed peoples with their heroic war full of sacrifices, are giving us a great help in our National Liberation War.

The war of our people is linked closely with the war of the anti-fascist bloc. It fraternizes our people with all the freedom-loving peoples and particularly with the neighbouring peoples of the Balkans...

The Anglo-Americans have assisted our war also directly with military material. Although this aid has not been sufficient, we are still grateful to them and are confident that they will increase it.

The great successes of the Red Army and the participation of other allies in this war have pushed Germany to the brink of destruction, have consolidated the Anglo-Soviet-American coalition, have cemented the brotherhood of the peoples of the anti-fascist bloc. In this way, victory over fascism is certain and the day of freedom is dawning for Albania.

The conferences and decisions of Moscow and Teheran have cemented the anti-fascist bloc and have become the guarantee for all the peoples. We hail the ardent friendship and great assistance of our great allies.

Now that our Army has become an important factor in the war against Germany, now that the stage of broad combined operations of the allies is reached, we request them to create and strengthen the links between their commands and our staff. The development of stern war against the fascist occupier and the traitors at a time when the finishing blow is being dealt at Germany, is the soundest guarantee for our future successes.

Our people will close their ranks round our heroic Army, round the Anti-fascist National Liberation Committee, and will continue their war with ever greater determination until Albania is freed from the jack-boot

of the occupier, until fascism is wiped out of the face of the earth and a democratic Albania, people's Albania, is built on indestructible foundations.

#### IV

The 1st Anti-Fascist National Liberation Congress elected the Anti-fascist National Liberation Committee, as the main legislative and executive body representing the will of the Albanian people and state.

The Congress empowers the Anti-fascist National Liberation Council to form the Anti-fascist National Liberation Committee with all the attributes of a provisional people's government through which the Anti-fascist National Liberation Council realizes its executive function.

On the basis of the foregoing causes, the 1st Anti-fascist National Liberation Congress, the best and fairest representative of the aspirations of the Albanian people,

#### DECIDED

##### I

The new democratic people's Albania will be built according to the will of the people expressed solemnly by the Anti-fascist National Liberation Council, which is the real people's state which has emerged from the National Liberation War of the Albanian people.

##### II

Zog is prohibited from returning to Albania, since the question of the regime will be decided through the free will of the Albanian people who are represented only by the Anti-fascist National Liberation Council.



### III

No other government which may be formed within or outside Albania against the free will of the Albanian people, represented by the Anti-fascist National Liberation Council, will be recognized.

### IV

The Congress decided solemnly that the war against the occupier and its servants should continue more fiercely and that in no way should the various provocations and political manouvings by the occupier and reaction make us lose sight of this objective.

### V

The struggle the Albanian people are waging against all traitors rallied round the quisling government of Tirana, Balli Kombëtar, Legaliteti and others, and against any other reactionary clique which may emerge eventually, must continue even more fiercely until their complete destruction and the establishment of free democratic people's Albania.

### VI

The Congress approves the correct political line pursued by the National Liberation General Council in the stern struggle against the occupier and all the reactionary cliques of our country, and endorses all the directives issued by it hitherto.

### VII

The Congress endorses all instructions issued by the

General Staff about the training of political and military cadres, the formation of the political consciousness of our National Liberation Army which, aware of its responsibility before the people, will continue the war until the liberation of the whole of Albania from the occupiers and traitors.

### VIII

The Congress expresses the desire that the Soviet Union and the United States of America send their military missions to the General Staff.

### THE 1st ANTI-FASCIST NATIONAL LIBERATION CONGRESS

*Published according to the brochure,  
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**DECISION OF THE ANTI-FASCIST NATIONAL  
LIBERATION COUNCIL ON THE TRANSFORMATION  
OF THE ANTI-FASCIST NATIONAL LIBERATION  
COMMITTEE INTO THE DEMOCRATIC GOVERNMENT  
OF ALBANIA**

October 22, 1944

**THE ANTI-FASCIST NATIONAL LIBERATION  
COUNCIL OF ALBANIA**

**D E C I S I O N**

**OF THE ANTI-FASCIST NATIONAL LIBERATION  
COUNCIL ON THE TRANSFORMATION OF THE  
ANTI-FASCIST NATIONAL LIBERATION COMMITTEE  
INTO THE DEMOCRATIC GOVERNMENT OF  
ALBANIA**

Considering that the historic decisions of the Congress of Përmet have been endorsed and enthusiastically hailed by the whole Albanian people;

considering that after the Congress of Përmet more than three-fourths of Albania has been liberated from the occupiers and traitors to the country;

considering that the democratic power of the Albanian people has been set up and consolidated in all the liberated areas;

considering that our National Liberation Army has been strengthened and that thousands upon thousands of new fighters have swelled its ranks and that, from an army of medium-size formations such as battalions and brigades, it has been transformed into a regular army with

big military formations such as divisions and army corps; considering that the broad masses of the whole Albanian people are involved in the National Liberation War; considering that the political and military authority of our war has increased more than ever before both inside and outside Albania;

considering that the war against nazi Germany has entered its final phase and we are on the eve of the liberation of the whole of Albania;

considering that the state leadership is confronted with many tasks: to step up the war, to strengthen the state power, to increase the mobilization of the whole people, to strengthen the economy and rebuild the war-devastated country, to ensure the schooling and cultural and educational uplift of the masses of the people;

considering that the change of the situation call for a leadership capable of coping with these changes;

considering the desire and will of the whole people to strengthen their democratic state power further and to maintain regular relations with our great allies and all the anti-fascist external world through a government of their own;

the Anti-fascist National Liberation Council of Albania;

**D E C I D E D**

to transform the Anti-fascist National Liberation Committee of Albania into the Democratic Government of Albania...

Berat, October 22, 1944

**THE ANTI-FASCIST NATIONAL LIBERATION  
COUNCIL OF ALBANIA**

*Reproduced from the brochure,  
The 2nd Meeting of the Anti-fascist National Liberation  
Council, publication of the Standing Committee  
of the Anti-fascist National  
Liberation Council, 1944.*



**DECLARATION OF THE 2nd MEETING OF THE  
ANTI-FASCIST NATIONAL LIBERATION COUNCIL  
OF ALBANIA ON THE RIGHTS OF CITIZENS**

October 23, 1944

**D E C L A R A T I O N**

**OF THE ANTI-FASCIST NATIONAL LIBERATION  
COUNCIL OF ALBANIA ON THE RIGHTS OF CITIZENS  
MADE AT THE 2ND MEETING OF THE ANTI-FASCIST  
NATIONAL LIBERATION COUNCIL OF ALBANIA**

Throughout their centuries-long history, the Albanian people, who have never submitted to their enemies and have heroically weathered through all the storms that swept their territory and threatened them with extermination, with their anti-fascist struggle against ferocious enemies, are writing today the glorious pages of a great epic. At a crucial moment for our country, the Albanian people showed that they would rather die in the struggle for freedom than accept the heavy and shameful yoke fascism and the local traitors were preparing for them. With their sacred liberation war, our people foiled all the attempts of the fascist occupiers and their Albanian lackeys at turning Albania into a colony and wiping out the Albanian people. In the heat of their heroic war, our people laid the foundations of their democratic power cemented with the blood of their worthy

sons and genuine patriots. The Albanian people took to arms, hurled themselves boldly into this war of liberation, relying on their own forces and confident of their final victory. United to a man to face up to the danger threatening our country, our people overcame major obstacles and are now marching towards victory — the liberation of Albania. For the first time in their history the Albanian people have become masters of their destiny, firmly determined to bury their past of suffering and build instead a new state, in which they will live in peace and happiness, free and enjoying equal rights.

Expressing the legitimate aspirations of the people and their determination to build a society of freedom and human dignity, the democratic state power of the Albanian people, embodied in the anti-fascist national liberation councils and the Anti-fascist National Liberation General Council of Albania, guarantees:

- equality of all Albanian citizens before the law;
- freedom of religion and conscience, as well as equal rights for all religions;
- freedom of gathering, freedom of speech, freedom of association and freedom of the press;
- private property and individual security for all citizens as well as freedom for private initiative in the economic life;
- equal rights between man and woman in the political life of the country and in social activities;
- electoral right, which will be exercised through secret ballot on the basis of general, equal and direct suffrage. Every citizen of 18 years of age has the right to elect and be elected except for those who have been deprived of this right by law. The fighters of the National Liberation Army enjoy this right irrespective of their age. The application of the principle of secret and direct ballot may be suspended for the duration of the National Liberation War by decision of the Anti-fascist National Liberation Council of Albania.
- Every citizen has the right of appeal against the



decisions of the organs of state power, as well as the right to appeal against a sentence of the organs of state power;

- nobody can be sentenced without regular trial;
- it is an honour and duty for every able-bodied Albanian citizen to serve in the Albanian National Liberation Army;

- the people's democratic power guarantees by law all the working people of town and countryside a life compatible with the modern concept of social rights and human dignity;

- through a series of schools and cultural and educational institutions set up according to plan, the democratic state power will take all the necessary measures to liquidate illiteracy in our country as soon as possible, and enhance the general cultural level of the people;

- the democratic state power will devote the greatest attention to the protection and improvement of the health of the people;

- in order to protect the democratic order and guarantee the achievements of the National Liberation War, all fascist or pro-fascist organizations are banned and legal action will be taken against all those who engage in fascist or pro-fascist activities.

Berat, October 23, 1944

## THE ANTI-FASCIST NATIONAL LIBERATION COUNCIL OF ALBANIA

Reproduced from the brochure,  
...*The 2nd Meeting of the Anti-fascist National Liberation Council*, published by the Standing Committee of the Anti-fascist National Liberation Council, 1944.

## NOTES TO THE ANNEX

1. *The Conference of Peza* was held on September 16, 1942. The National Liberation Conference of Peza was organized by the Communist Party of Albania acting on the July 1942 decision of the Central Committee of the Party. Besides the representatives of the CP of Albania and the Communist Youth of Albania, representatives of the Albanian women and Albanian nationalists of different political trends also took part in the Conference. The Conference of Peza adopted the program of the National Liberation War of the Albanian people which was presented by the Party. The program called for uncompromising organized war against the fascist occupiers and the traitors until the complete liberation of the country and the construction of a free and independent, people's democratic Albania. The Conference decided that national liberation councils should be set up all over Albania, both in the liberated and non-liberated regions, as organs uniting the people in the war against the occupiers and as organs of the people's state power. At the Conference of Peza were laid the foundations of National Liberation Front of Albania.

The Conference elected the National Liberation General Council made up of 8 members. Comrade Enver Hoxha, General Secretary of the CP of Albania, was one of the members of the National Liberation General Council.

The Conference of Peza is the biggest achievement of the Communist Party of Albania up to that time. It played an extremely important role in the extension of the National Li-



beration War and in strengthening the unity of the people around the Party during the war. At the same time, the Conference was a major setback for internal reaction, which had been trying by all manner of means to hinder the unification of the people in the National Liberation War and to isolate the Communist Party of Albania.

2. *Mustafa Merlika Kruja*, one of the fascist traitor chiefs, notorious for his crimes against the Albanian people in wartime, agent of fascist Italy.

A member of the pro-Italian government of Durrës in 1918, he did everything to sabotage the Congress of Lushnja in 1920. An agent of the Italian fascists during his exile, he worked zealously to prepare the occupation of our country by fascist Italy.

He was head of the Albanian quisling government from December 1941 to January 1943; after the Italians he lent his services to the German occupiers. He is responsible for the killings, imprisonments, internments, devastations and plundering that took place during fascist occupation in our country.

3. The Congress of Lushnja was convened on January 28, 1920 in Lushnja, with the participation of 53 delegates from all over Albania, most of whom did not accept the capitulationist political line of the government of Durrës. The Congress examined the secret London Treaty of 1915 and protested against it at the Paris Peace Conference.

The Congress demanded the recognition of Albania's complete independence. It appointed a new delegation to defend the cause of Albania at the Peace Conference, abolished the capitulationist government of Durrës and elected a new national government.

The Italian occupiers and the government of Durrës did everything to stop the convening of the Congress of Lushnja, which had the unreserved support of the Albanian people.

4. The *Lieutenancy* was the Italian administrative apparatus set up by the Italian occupiers in Tirana. It exercised *de facto* all state power in Albania. It was headed by the full-powered representative of the King of Italy, Victor Emmanuel III, and the Duce of fascism, Mussolini. The fascist F. Jacomoni, former

plenipotentiary minister of Italy to Albania during the regime of A. Zog, was viceroy in the early period of occupation to be replaced by General Pariani in March 1943.

5. *Nedić*, traitor to the Yugoslav people, agent and collaborator of the German occupiers, one of the leaders of the reactionary fascist forces fighting against the Yugoslav national liberation movement.

6. The 2nd National Liberation Conference was held on September 4, 1943, at Labinot. Apart from the members of the National Liberation General Council, delegates from all over Albania took part in it. The Conference examined the work of the National Liberation General Council from the Conference of Peza on and laid down concrete tasks to cope with the situation created by the treacherous activity of Balli Kombëtar, the capitulationist stand of Ymer Dishnica at Mukje as well as the capitulation of fascist Italy.

The Conference decided to recognise no form of state power in Albania other than that of the national liberation councils.

The Conference rejected the Mukje agreement as an act of betrayal, which was in direct opposition to the interests of the National Liberation War of the Albanian people. Describing Balli Kombëtar as a reactionary organization and its chiefs as men sold out to the occupier, the Conference adopted a clear-cut stand towards Balli Kombëtar and called for the exposure of its policy and activity of betrayal. At the same time it instructed that a differentiated stand should be taken towards the members of Balli Kombëtar and patient work carried out to win to our cause people deceived by that organization. In connection with the capitulation of Italy, the Conference called on the Italian troops to surrender to the forces of the National Liberation Army, and on the Albanian people to step up the war against the German occupiers until the complete liberation of Albania.

The Conference adopted the Constitution and the Regulations of the National Liberation Councils.

The Conference elected the National Liberation General Councils made up of 62 members; Comrade Enver Hoxha was one of the members of the Standing Committee of the Council.



The National Liberation Conference of Labinot centralized and strengthened the revolutionary people's state power as the only political power in Albania.

7. Reference is to the official statements of the governments of the USSR, the USA and Great Britain of December 1942 which recognized the heroic war of the Albanian people against the fascist occupiers and expressed the desire for the re-establishment of Albania's independence, leaving the question of the regime to the Albanian people to decide.

Subsequent events proved that the statements of the British and American governments were incompatible with their deeds. As far back as that time, those governments took a series of measures to have their agents insinuated within the National Movement, and to support the reactionary forces to the detriment of the freedom and independence of the Albanian people. After Liberation, they strove to rob our people of the victories they had achieved with bloodshed and negate their heroic war against the fascist occupiers, a war which they had officially recognized formerly.

8. Reference is to the British military mission which had come to Albania during the war allegedly to assist the Albanian people with weapons and ammunition. As a matter of fact, the British officers did their utmost to weaken the National Liberation War of our people, thus acting as enemies, not as allies. They maintained contact with the chiefs of Balli Kombëtar and Legalliteti which closely collaborated with the occupiers instead of working with the General Staff of the National Liberation Army. For this reason the leadership of the National Liberation War had to be in permanent conflict with them.

9. The "Covenant" referred to here was achieved at a meeting of the tribal chiefs of Dibra in the early days of September 1943. The meeting was also attended by representatives of the command of the German fascist troops in Albania. The "Covenant" was a manoeuvre to deceive the people of Dibra and involve them in the war of the German occupiers against National Liberation Movement.

10. The *Dalmazzo-Këlcyra Protocol* was signed by the commander-in-chief of the Italian occupation army, R. Dalmazzo, and members of the Central Committee of Balli Kombëtar, Ali

Këlcyra and Nuredin Vlora, on March 15, 1943 in Tirana. In this protocol the chiefs of Balli Kombëtar assured Dalmazzo that "no insurrection will take place in Southern Albania", and that they would use all their power to stop attacks and acts of sabotage against the Italian occupiers.

11. Reference is the *Mukje Agreement* concluded between the representatives of the Balli Kombëtar and the National Liberation General Council at the meeting of Mukje (a village near Kruja) on August 1-2, 1943.

In July 1943, the National Liberation General Council decided to call once more on the Balli Kombëtar to renounce the road of betrayal and join the National Liberation War through a delegation composed of Ymer Dishnica, Abaz Kupi, Mustafa Gjinishi and others, who were to come into contact and talk with the leadership of the Balli Kombëtar. The points the discussion would centre on were as follows: Balli Kombëtar should immediately stop its war against the National Liberation Movement, join in the struggle against the occupiers, purge its ranks from fascist elements, thieves and criminals, adhere to the national liberation councils and participate in a nation-wide national liberation conference together with the National Liberation Front. However, the delegation of the National Liberation General Council disregarded these points at the meeting with the leaders of Balli Kombëtar at Mukje. It betrayed the interests of the National Liberation War of the Albanian people and went over to the positions of Balli Kombëtar by accepting to create a "Committee for the Salvation of Albania" which would replace the National Liberation General Council, in which both the National Liberation Movement and Balli Kombëtar would be represented on an equal footing. By so doing, Ymer Dishnica and Co. accepted the sharing of power with the Balli Kombëtar, which not only had not fired a single shot against the occupiers but, moreover, had been in their service.

As soon as they knew of this traitorous act, Comrade Enver Hoxha and the other members of the CC of the CP of Albania condemned it and informed all the Party about it.

With his betrayal at Mukje, Ymer Dishnica assisted Balli Kombëtar to step up its attacks against the Party and sow confu-



sion among the masses of the people. The Communist Party of Albania had to carry out a great deal of work to expose the betrayal of Mukje and the divisive and treacherous ambitions of Balli Kombëtar.

12. The 2nd National Liberation Conference elected the General Council made up of 62, not 15 members.

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